

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
June 10, 2019

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on June 10, 2019 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, Randy Wall, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: LeAnn Mather.

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, Park Director John Shelton, Human Resource Director Kathy Milliken, Communications Manager Derek Gean, Interim Electric Superintendent Travis Long, IT Director Jarrad Schomaker, Lebanon REDI President Brian Thompson, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Terry Maddux of Calvary Baptist Church followed by the pledge of allegiance.

PUBLIC COMMENTS

Judith Smith- stated she owned several properties around Nelson Park and residents in the area weren't informed of the possible sale. She further stated she felt the sale should've been decided by a vote of the taxpayers and she was not in favor of selling the pond area. Smith said the park served as a buffer between an industrial area and residential area.

Joshua Sherrer- stated he had grown up near Nelson Park and said he thought the sale of Nelson Park was a shady deal. He said the sale proved the City Council had sold out and they didn't have the citizens in mind.

Danielle Freeman- stated her maiden name was "Owen" and she was a descendant of the family that donated the park property to the City. She expressed the entire Nelson family was not in favor of the sale of Nelson Park to White River Marine Group and the City was profiting off her family's heritage. She shared that her young son was upset when he found out about the park and that she didn't think the Council realized the ripple effect the sale had on the community.

Jennifer Wenger- stated she loved the park when she was young and still did. Wenger expressed she was upset when she heard of the park selling and was concerned about the possibility of the pond being drained and the elimination of Kids Fishing Day.

Shawn Cecil- stated she was released from incarceration six years ago and God put her near Nelson Park. She commented that she thought the City should've given out more information about the sale.

Michelle Hawkins- shared that Nelson Park meant a lot to her and she had a lot of good memories of times she spent there.

Richard Gilbert- expressed he thought the City did a good thing when selling the park. He said the transaction was done within regulations and the citizens were given a chance to speak at the meeting prior to the vote. He then encouraged citizens to stay engaged. Gilbert stated change was necessary to move forward and added that the current Mayor and Council were more transparent than those of the recent past.

Mary Terry- shared that she lived on Sunrise Drive and complained of flooding in that area. She expressed she felt that a lot of green space would be lost with the sale of Nelson Park which would only make the flooding in her neighborhood worse. She stated she would like the City Council to figure out how residents on Sunrise Drive were supposed to get out when it flooded. She also made a complaint that no one was maintaining the fence between the property owners and Laclede Industries and the solar farm.

Michael Donovan- stated the newspaper article regarding the proposed sale of Nelson Park was published after the decision to sell was made. Because of this, he said it appeared shady. He then shared his history with the park and expressed his concerns with paving over the pond.

Rachel Bradley- shared she had lived in Lebanon half of her life and suffered from health issues. Bradley stated people in the community wanted to feel comfortable and needed a place like Nelson Park to go to. She urged the Council to reconsider and come up with a better solution. Bradley also expressed she thought the Council could do a better job getting information out to the citizens.

John Thomas- said he didn't feel the Council represented those who needed to be represented. He went on to share his concern of losing Nelson Pond as it provided meals for many families. He said it would take ten years to establish a proper ecosystem in another pond and shared he was concerned the new park complex would end of being a pay to play complex. Thomas concluded by saying he would be attending future meetings and would be the one to represent the lower income residents. He also asked that the Council take the little man into consideration next time.

Bruce Owen- shared that the Nelsons were his grandparents and they had donated the land for the park. He stated it hurt, but the City needed to move forward. He then listed amenities the new park would have and encouraged citizens to keep their memories of Nelson Park and start new memories.

Mike Sachs- a resident of Phillipsburg, spoke of many concerns he had regarding the boats manufactured and stored by White River Marine Group. Some of those concerns included damage done to property by the boats during storm events, chemicals from the materials used on the boats seeping into the ground, and the fact that the boats were being spread

out rather than stacked during storage. He encouraged the Council to become more transparent, stop wasteful spending, show respect for the citizens, and make Lebanon shine.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

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

- May 2, 2019 Work Session Minutes
- June 2, 2019 Closed Session Minutes
- Warrants #96819-#96941 Payroll, and Drafts
- April Treasurers Report
- Board Reappointments
 - I. Park Board- reappointment of Jim Garrison to a 3-year term expiring June 2022, reappointment of Dusty Childress to a 3-year term expiring June 2022, and an appointment of Jacob Hedges to a 3-year term expiring June 2022.
 - II. Library Board- reappointment of Bailee Winterrowd to a 3-year term expiring June 2022.
 - III. Lebanon Tourism and Marketing Advisory Committee- reappointment of Gib Adkins to a 2-year term expiring June 2021.

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

PUBLIC HEARINGS

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

Proposed Sewer Rate Adjustment- Public Works Director Richard Shockley reported the sewer rate adjustment was being proposed as a result of a sewer rate study and would be used to fund Phase 2 of the Wastewater Treatment Plant Improvements that would require financing (the study was presented to Council at their April 4th Work Session meeting). He stated the first reading of Council Bill No. 4779 for the rate adjustment was held on April 22nd.

Debbie Webb- asked if this was why citizens received information in the mail regarding coverage for water and sewer issues. Shockley explained it wasn't and said that received information pertained to a service line warranty program offered by Utility Service Partners. He further stated the City partnered with them and the program was endorsed by the Missouri Municipal League.

Tina Gilbert- shared that a resident was not allowed to take out the insurance coverage unless they were the owner of the property.

Rezoning of 101 Bluebird Lane from RS-1 Residential to C-1 Limited Commercial- Code Administrator Joe Berkich reported that Executive Realty, on behalf of property owners Jonathan and Stacey Massey, requested the rezoning of 101 Bluebird so the structure at this location could be used as a business office. There were no public comments.

Rezoning of 25785 Hwy 5, Stoval #1 Subdivision Lots 4 & 5 from RS-1 Residential to C-1 Limited Commercial- Code Administrator reported that property owner Randy Darst requested this rezoning to bring the subdivision zoning up to code. Previously, businesses were allowed to operate in this subdivision while it was zoned RS-1 Residential. Changing the zoning to C-1 Limited Commercial would allow future businesses to operate in a proper zone. There were no public comments.

Rezoning of Maplewood Subdivision Lots 1-4 and Lots 20-22 from RS-1 Residential To RS-2 Residential- Code Administrator Joe Berkich reported that owner, Kodiak Resources, requested to rezone the area to RS-2 Residential so duplexes could be built. Berkich stated the owner understood a conditional use would have to be approved by Planning and Zoning to do so. There were no public comments.

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

COUNCIL BILL NO. 4779- CODE AMENDMENT, CHAPTER 26 UTILITIES ARTICLE 2 SEWER USE, SECTION 26-44 USE RATE STRUCTURE

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 repealing Article II Sewer Use, Division 2 charges, Section 26-44 (A), (B) (1), (B) (2), (B) (3), (C), (D) and (E) in its entirety and enacting in lieu thereof a newly created Section 26-44 (A), (B), (B) (1), (C), (C) (1), (D) and (E).

Jordan moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4779 and that the roll be called for the approval and passage of said bill.

Reagan moved and Jordan seconded that Council amend Council Bill No. 4779 by replacing all references of the "first" billing cycle of June to the "second" billing cycle in June. Motion carried as follows: Yea: (7) Reagan, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Motion carried to approve Amended Council Bill 4779: Yea: (7) Wall, Jordan, Garner Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Mayor Carr declared Amended Council Bill No. 4779 duly passed and approved and that it be entered among City Records as Ordinance No. 5946.

COUNCIL BILL NO. 4797- FINAL PLAT, REPLAT OF HUER DRIVE AND LOT 6, BLOCK 1, BLAND ACRES 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 Huer Drive and Lot 6, Block 1, Bland Acres Addition to Lebanon, Laclede County, Missouri.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4797 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Jordan, Garner, Adkins, Eldridge, Mitchell, Reagan, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Wall moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 4797 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, Reagan, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Mayor Carr declared Council Bill No. 4797 duly passed and approved and that it be entered among City Records as Ordinance No. 5947.

COUNCIL BILL NO. 4798- FINAL PLAT, REPLAT OF JONES AUTO AND TRUCK PLAZA 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 Replat of Jones Auto & Truck Plaza Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Mitchell moved and Wall seconded that the Council approve the first reading of Council Bill No. 4798 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Reagan, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Jordan moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 4798 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Eldridge, Mitchell, Reagan, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Mayor Carr declared Council Bill No. 4798 duly passed and approved and that it be entered among City Records as Ordinance No. 5948.

COUNCIL BILL NO. 4799- PURCHASE, TRANSFORMERS, SOLOMON CORPORATION

An Ordinance by the City Council of The City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the purchase of one (1) 75kVA Pad Mount Transformer, one (1) 500kVA Pad Mount Transformer, and three (3) 300kVA Pad Mount Transformers from Solomon Corporation.

Jordan moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4799 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mitchell, Reagan, Wall, Jordan, Garner, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Eldridge moved and Adkins seconded that the Council approve the second and final reading of Council Bill No. 4799 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Reagan, Wall, Jordan, Garner, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Mayor Carr declared Council Bill No. 4799 duly passed and approved and that it be entered among City Records as Ordinance No. 5949.

COUNCIL BILL NO. 4800- AGREEMENT, STOP LOSS INSURANCE, HCC LIFE INSURANCE COMPANY

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 execute and submit an application to HCC Life Insurance Company and sign all necessary documents for the provision of Stop Loss Insurance for the City Health Insurance Benefit Plan.

Jordan moved and Garner seconded that the Council approve the first reading of Council Bill No. 4800 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Adkins, Mitchell, and Reagan; Nay: (0) None; Abstain: (1) Eldridge; Absent: (1) Mather.

Wall moved and Garner seconded that the Council approve the second and final reading of Council Bill No. 4800 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Jordan, Garner, Adkins, Mitchell, Reagan, and Wall; Nay: (0) None; Abstain: (1) Eldridge; Absent: (1) Mather.

Mayor Carr declared Council Bill No. 4800 duly passed and approved and that it be entered among City Records as Ordinance No. 5950.

COUNCIL BILL NO. 4801- REZONING, 101 BLUEBIRD LANE FROM RS-1 RESIDENTIAL TO C-L LIMITED COMMERCIAL

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of 101 Bluebird Ln from RS-1 Residential to C-L Limited Commercial; fixing the effective date thereof; repealing Ordinances or parts thereof in conflict.

Adkins moved and Reagan seconded that the Council approve the first reading of Council Bill No. 4801 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Garner, Adkins, Eldridge, Mitchell, Reagan, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Second Reading scheduled for June 25, 2019.

COUNCIL BILL NO. 4802- REZONING, 25785 HWY 5, STOVAL #1 SUBDIVISION LOTS 4 & 5

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of 25785 Highway 5, Stoval #1 Subdivision Lots 4 and 5 from RS-1 Residential to C-1 Commercial; fixing the effective date thereof; repealing Ordinances or parts thereof in conflict.

Mitchell moved and Eldridge seconded that the Council approve the first reading of Council Bill No. 4802 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Reagan, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Second Reading scheduled for June 25, 2019.

COUNCIL BILL NO. 4803- REZONING, MAPLEWOOD SUBDIVISION LOTS 1-4 AND LOTS 20-22 FROM RS-1 RESIDENTIAL TO RS-2 RESIDENTIAL

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, amending the City of Lebanon, Missouri, Zoning District Map as adopted by Ordinance No. 3197 by approving the Rezoning of Maplewood Subdivision Lots 1-4 and Lots 20-22 from RS-1 Residential to RS-2 Residential; fixing the effective date thereof; repealing Ordinances or parts thereof in conflict.

Jordan moved and Wall seconded that the Council approve the first reading of Council Bill No. 4803 and that it be passed to the second reading. Motion carried as follows: Yea: (7), Eldridge, Mitchell, Reagan, Wall, Jordan, Garner, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Mather.

Second Reading scheduled for June 25, 2019.

COMMENTS

Councilman Garner- stated he appreciated all the comments and concerns expressed this evening during public comments.

Councilman Jordan- said that people shouldn't believe everything they read on Facebook and said if they wanted to be informed, they should attend Council meetings. He then provided information about the upcoming Route 66 Festival and shared that KY3 would be doing the news Friday evening from Munger Moss.

Councilman Reagan- provided his perspective of being on City Council and stated the integrity of the Council was second to none. He then asked about the removal of a few of the Laclede Industries cardboard drop off trailers. Mike Morris from KJEL Radio said the trailer has been relocated to a location behind the Laclede Industries facility.

Councilwoman Mitchell- stated she was going to respond to some of the comments made earlier during public comments, but everyone had gone. She then said she thought the City should address the flood concerns on Sunrise Drive. Public Works Director shared that the flood plain maps had shrunk from two years ago.

Councilman Eldridge- said that he felt White River Marine Group wanted to be a good neighbor and development plans would be required to go before the Planning and Zoning Commission. He then encouraged citizens to stay involved.


Councilman Adkins- stated he appreciated all the comments made this evening. He then made an announcement about the upcoming dedication and ribbon cutting of the OTC Aviation Program at the Lebanon Airport and invited everyone to the MSU Alumni event being held on June 24th.

Mayor Carr- stated he was looking forward to the Route 66 Festival and the OTC Aviation Program dedication and ribbon cutting. He then shared that he had taken notes during public comments and explained that the sale transaction had to be quick so that the new park would be ready by next spring.

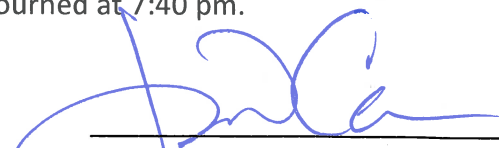
ADJOURNMENT

Mayor Carr declared the meeting adjourned at 7:40 pm.

ATTEST:



City Clerk Laina Starnes



Mayor Jared Carr

Minutes Approved July 8, 2019