

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
June 13, 2022

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on June 13, 2022, 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, Randy Wall, and Chuck Jordan. Absent: Jonathan Reagan, Jeff Mutchler, Bob Garner, and Mayor Carr.

A quorum was declared.

Councilwoman Mitchell chaired the meeting as Mayor Pro Tem in the absence of Mayor Carr.

Councilman Mutchler joined the meeting at 6:06 pm and Councilman Reagan joined the meeting at 6:10 pm.

Staff members and others in attendance: City Administrator Mike Schumacher, Public Works Administrator Richard Shockley, Police Chief Bryan Arnold, Fire Chief Sam Schneider, Finance Director Kat Gill, Human Resource Director Kathy Milliken, Street Superintendent Mike Moore, Environmental Services Superintendent Eric Mork, Code Administrator Joe Berkich, Purchasing Agent Jessica Meiners, Communications Manager Derek Gean, 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

Deanne Yukne- because she feared for the safety of her granddaughter, Yukne urged the Council to require Forever Green Landscaping to put up a six-foot fence between the business and her daughter's property. She supplied pictures she had taken and asked that the fence be a contingency when the Council voted on the property owner's rezoning request this evening.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

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

- Approval of Minutes
 - i. May 9, 2022, Council Meeting
 - ii. May 23, 2022, Council Meeting
- Approval of Warrants
- April Financials
- Resolution No. 480- Southdale Center Community Improvement District Board Appointments- Curtis Jared and Tyler Creach, each for 4-year terms ending December 16, 2026.
- Resolution No. 481- The Marketplace Community Improvement District Board Appointments- Kevin Guffey and Brad Thessing, each for 4-year terms expiring May 13, 2026.

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

RESOLUTION NO. 482- AUTHORIZATION TO FILE APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR AN AMERICAN RESCUE PLAN ACT GRANT AND NAMING DESIGNATED OFFICIAL

Jordan moved and Mutchler seconded that the Council approve Resolution No. 482 as presented.

A Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center’s State ARPA Grant Programs for subaward of Federal Financial Assistance provided to the State of Missouri by the U.S. Department of the Treasury (“Treasury”) pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (pub. L. No. 117-2 (March 11, 2021), 135 stat. 4, 223-26.

WHEREAS, that under the terms of section 602(c) of the Act and Treasury’s regulations, the State of Missouri has authorized the making of grants to authorized applicants to aid in the completion of specific public projects; *and*

WHEREAS, that the City of Lebanon may be eligible for Missouri Department of Natural Resources ARPA Grant Funds; *and*

WHEREAS, that in the event the City of Lebanon qualifies for a Department of Natural Resources ARPA Grant, a designated official for said grant must be authorized.

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 and directs Mayor Jared Carr to execute and file an application(s) on behalf of the City of Lebanon with the State of Missouri for grant funding to aid in the completion of: a lead service line inventory, or a drinking water, wastewater, and/or a

stormwater project with anticipated projects being water, wastewater and stormwater infrastructure improvements.

SECTION 2: That the City Council of the City of Lebanon, Laclede County, Missouri hereby authorizes and directs Mayor Jared Carr to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 13th day of June 2022.

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

RESOLUTION NO. 483- INTENT TO CHANGE KANSAS STREET TO ICE CREAM WAY

Eldridge moved and Jordan seconded that the Council approve Resolution No. 483 as presented.

A Resolution by the Mayor and City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City") stating the intent to change the name of Kansas Street to Ice Cream Way.

WHEREAS, that on January 24, 2022, City Council approved a Chapter 100 Industrial Revenue Bond Project for the Ice Cream Factory via Ordinance No. 6471;
and

WHEREAS, that on March 14, 2022 the City Council approved a Redevelopment Agreement with the Ice Cream Factory via Ordinance No. 6499, which stated the name of Kansas Street would be changed to Ice Cream Way by Council action and ordinance; *and*

WHEREAS, that this resolution shall be published for one week in the Laclede County Record, and in the event the majority of the resident property owners along the line of the above-described street, do not file with the City Clerk their written protest against the proposed change of name within four weeks of publication, the Council intends to approve and pass an ordinance changing the name of the existing street.

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

SECTION 1: That the Mayor and City Council of the City of Lebanon, Laclede County, Missouri hereby states their intent to change the name of Kansas Street to Ice Cream Way if no written protests are received.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 13th day of June 2022.

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

PUBLIC HEARING

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

Rezoning of 611 King St. from RS-2 Residential to C-1 Commercial

Code Administrator Joe Berkich reported the owners of Forever Green Landscaping would like to expand their business and had requested the property they owned behind their business at 611 King Street be rezoned from RS-2 Residential to C-1 Commercial. Berkich shared that the Zoning and Planning Commission had approved the rezoning request and that there would be a six-foot fence constructed between the property and the residential district should the Council approve the request.

Charles Bailey- owner of the property next to Forever Green Landscaping expressed he had no issue with the rezoning request and thought the Council should approve it.

James Johnson- owner of Forever Green Landscaping said he wanted to be a good neighbor and improve the neighborhood. He also said he had a groundskeeper working for him five days a week to keep the property up. In closing, Johnson stated he was excited about safely growing his business and the community had responded well to his vision.

Deanne Yukne- stated she didn't have a problem with rezoning the property since it was said the fence would be constructed.

Final Plat, Main and Cherry, Block 6, Original Town of Lebanon

Code Administrator Joe Berkich reported the owners requested a replat so they could build a single-family residential dwelling.

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) Mutchler, Wall, Jordan, Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

COUNCIL BILL NO. 6292- APPROVING THE WALLACE BUILDING PARKING LOT PAVEMENT PROJECT

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City") approving the recommendation from City Staff and authorizing the Wallace Building Parking Lot Pavement Project.

Mutchler moved and Adkins seconded that the Council approve the first reading of Council Bill No. 6292 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Wall, Jordan, Adkins, Eldridge, Mitchell, Reagan, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Wall moved and Reagan seconded that the Council approve the second and final reading of Council Bill No. 6292 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Jordan, Adkins, Eldridge, Mitchell, Reagan, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6292 duly passed and approved and that it be entered among City Records as Ordinance No. 6539.

COUNCIL BILL NO. 6293- PURCHASE OF FOUR (4) BUNKER GEAR SETS FROM DINGES FIRE COMPANY FOR THE FIRE DEPARTMENT.

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City") authorizing the purchase of four (4) Bunker Gear Sets from Dinges Fire Company for the Fire Department.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6293 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Adkins moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 6293 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6293 duly passed and approved and that it be entered among City Records as Ordinance No. 6540.

COUNCIL BILL NO. 6294- AN AGREEMENT WITH LEGAN TRUCK & EXCAVATING LLC AND HERITAGE HAULING FOR ROCK HAULING SERVICES THROUGH JUNE 30, 2023

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City"), authorizing the Mayor Pro Tem and City Clerk to enter into and execute an Agreement between the City and Legan Trucking & Excavating LLC and Heritage Hauling to provide Rock Hauling Services through June 30, 2023.

Eldridge moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6294 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mutchler, Wall, Jordan, Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Adkins moved and Reagan seconded that the Council approve the second and final reading of Council Bill No. 6294 and that the roll be called for the approval and passage

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

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6294 duly passed and approved and that it be entered among City Records as Ordinance No. 6541.

COUNCIL BILL NO. 6295- APPROVAL TO COMPLETE THE CONSTRUCTION OF 1,220 L.F. OF NEW STREET AND STORM DRAINAGE IN FLATWOOD SUBDIVISION PHASE 3.

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City") approving the recommendation from City Staff and authorizing the execution of all necessary documents to complete the construction of 1,220 L.F. of new street and storm drainage in Flatwood Subdivision Phase 3.

Eldridge moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6295 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Mutchler, Wall, Jordan, Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Wall moved and Adkins seconded that the Council approve the second and final reading of Council Bill No. 6295 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Wall, Jordan, Adkins, Eldridge, Mitchell, Reagan, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6295 duly passed and approved and that it be entered among City Records as Ordinance No. 6542.

COUNCIL BILL NO. 6296- AUTHORIZING THE PURCHASE OF WATER MATERIALS FOR LAKE REGIONAL LEBANON CAMPUS FROM FERGUSON WATERWORKS

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri (hereinafter referred to as "City") authorizing the purchase of Water Materials for Lake Regional Lebanon Campus from Ferguson Waterworks.

Jordan moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6296 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Jordan, Adkins, Eldridge, Mitchell, Reagan, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Adkins moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 6296 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6296 duly passed and approved and that it be entered among City Records as Ordinance No. 6543.

COUNCIL BILL NO. 6297- AGREEMENT, THIRD PARTY ADMINISTRATIVE SERVICES (TPA) FOR THE CITY'S HEALTH BENEFIT PLAN, AUXIANT

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the Mayor Pro Tem and City Clerk to enter into and execute a Business Associate Agreement between the City and Auxiant to provide Third Party Administrative Services (TPA) for the City's Health Benefit Plan and any additional documents necessary to facilitate this service.

Prior to the first reading, Chris Meckem, the City's Broker of Record, gave a presentation on keeping Sun Life as the City's stop/loss insurance, moving the third-party administrative service (TPA) from Meritain to Auxiant, moving from CVS to TrueRX for pharmacy services and entering into an agreement with SHARx RX to help mitigate costs of high dollar drugs used by City employees. Following a brief discussion, Assistant City Administrator/City Clerk Laina Starnes then read the ordinance title for the first reading.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6297 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Eldridge, Mitchell, Reagan, Mutchler, Wall, Jordan, and Adkins; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Reagan moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6297 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mitchell, Reagan, Mutchler, Wall, Jordan, Adkins, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6297 duly passed and approved and that it be entered among City Records as Ordinance No. 6544.

COUNCIL BILL NO. 6298- AGREEMENT, PHARMACY BENEFIT MANAGER SERVICES FOR THE CITY'S HEALTH BENEFIT PLAN, TRUE RX

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the Mayor Pro Tem and City Clerk to enter into and execute a Pharmacy Services Agreement and a Business Associate Agreement between the City and True RX to provide Pharmacy Benefit Manager (PBM) Services for the City's Health Benefit Plan and any additional documents necessary to facilitate this service.

Jordan moved and Wall seconded that the Council approve the first reading of Council Bill No. 6298 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Reagan, Mutchler, Wall, Jordan, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Eldridge moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6298 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Mutchler, Wall, Jordan Adkins, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6298 duly passed and approved and that it be entered among City Records as Ordinance No. 6545.

COUNCIL BILL NO. 6299- AGREEMENT, SHARX RX PROGRAM

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") authorizing the Mayor Pro Tem and City Clerk to enter into and execute a SHARx Service Agreement and a Business Associate Agreement between the City and SHARx LLC and any other documents needed to enroll in the SHARx RX Program.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6299 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Wall, Jordan, Adkins, Eldridge, Mitchell, Reagan, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mutchler moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 6299 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (7) Jordan, Adkins, Eldridge, Mitchell, Reagan, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6299 duly passed and approved and that it be entered among City Records as Ordinance No. 6546.

COUNCIL BILL NO. 6300- APPROVING AND ACCEPTING THE FINAL PLAT OF LOT CONSOLIDATION OF BLOCK 6, ORIGINAL TOWN OF LEBANON

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 lot consolidation of Block 6, Original Town of Lebanon to the City of Lebanon, Laclede County, Missouri.

Eldridge moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6300 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Adkins, Eldridge, Mitchell, Reagan, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Adkins moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6300 and that the roll be called for the approval and passage

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

Mayor Pro Tem Sheila Mitchell declared Council Bill No. 6300 duly passed and approved and that it be entered among City Records as Ordinance No. 6547.

COUNCIL BILL NO. 6301- REZONING OF PROPERTY LOCATED AT 611 KING STREET AND ADJACENT VACANT LOT IN THE R.L. HAYS BLOCK 1, LOTS 1, 2, & 3 FROM RS-2 RESIDENTIAL TO C-1 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 property located on 611 King Street and adjacent vacant lot in the R.L. Hays Block 1, Lots 1, 2, & 3 from RS-2 Residential to C-1 Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Eldridge moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6301 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mitchell, Mutchler, Wall, Jordan, Adkins, and Eldridge; Nay: (0) None; Abstain: (1) Reagan; Absent: (1) Garner.

Councilman Reagan stated he abstained from the vote because he had missed the discussion earlier and did feel like he was informed enough to vote.

Second reading scheduled for June 27, 2022.

COUNCIL BILL NO. 6302- AMENDING CITY CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE VIII FINANCIAL POLICIES, SECTION 2-471.4 RESERVE TARGET LEVELS AND ALLOWABLE USES

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") amending City Code of Ordinances Chapter 2 Administration, Article VIII Financial Policies, Section 2-471.4 Reserve Target Levels and Allowable Uses.

Eldridge moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6302 and that it be passed to the second reading. Motion carried as follows: Yea: (7) Reagan, Mutchler, Wall, Jordan, Adkins, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (1) Garner.

Second reading scheduled for June 27, 2022.

COMMENTS

Assistant City Administrator/City Clerk Laina Starnes reminded the Council of the Missouri Municipal League Conference coming up in September for registration purposes.

Councilman Jordan- shared that the Rt. 66 Festival would be the coming weekend. Friday night's Cruise-In festivities would be downtown, and a parade would be held on Saturday along with festivities at Bowell Park.

Councilman Reagan- complimented Councilwoman Mitchell for a great job serving in her role as Mayor Pro Tem.

Councilman Eldridge- complimented Councilwoman Mitchell as well.

Councilman Adkins- expressed that Mayor Pro Tem Mitchell did a fantastic job.

Mayor Pro Tem Mitchell- announced that cookies provided by Leslie Uder's second, and third grade summer class were available at the dais and closed with an announcement of the meeting date for the next Council meeting.

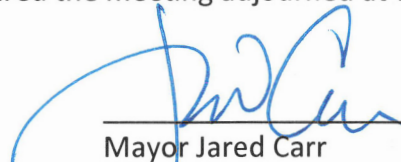
ADJOURNMENT

Mayor Pro Tem Sheila Mitchell declared the meeting adjourned at 7:21 pm.

ATTEST:



City Clerk Laina Starnes



Mayor Jared Carr

Minutes Approved July 11, 2022