

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
July 8, 2024

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on July 8, 2024, at 6:42 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: Sheila Mitchell, Dan Mizell, Jeff Mutchler, Randy Wall, Chuck Jordan, Bob Garner, and Mayor Carr. Absent: Gib Adkins and Mike Evans.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Public Works Director Richard Shockley, Police Chief Jerry Harrison, Fire Chief Sam Schneider, Finance Director Kat Gill, Human Resource Director Kathy Milliken, Tourism Director Rebecca Rupard, Code Administrator Christina Wagner, Purchasing Agent Jessica Meiners, Communications Manager Derek Gean, Downtown Executive Director Sarah Stewart, Deputy City Clerk Lacey Brackett, 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

There were no public comments.

DISCUSSIONS AND PRESENTATIONS

None.

CONSENT AGENDA

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

- Approval of Minutes
 - i. June 24, 2024, Work Session
 - ii. June 24, 2024, Regular Session
- Approval of Warrants
- Building Commissioner/Hearing Officer- Code Administrator Christina Wagner

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

PUBLIC HEARINGS

Mitchell moved and Jordan seconded that the Council move out of Regular Session and into Public Hearing. Motion carried as follows: Yea: (6) Mizell, Mutchler, Wall, Jordan, Garner, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Final Plat of Replat of all of Lots 4, 5, 6 and 7, and Southeast 4 Feet of Lots 8, 9, and 10 and part of Lot 11, Block 3 of Original Town of Lebanon (949 St. Louis Street)

Code Administrator Christina Wagner shared that the owner wished to Replat the mentioned property in order to build a duplex and it had met the requirements for the setbacks.

Jordan commented that the area in which the replat was located has improved house by house and it looked good.

There were no public comments.

Final Plat of Replat of Fractional Part Lots 3, 6, 7 and 8, all of Lots 4 and 5 in Block 8 of Original Town of Lebanon and Fractional Portion of Vacated Walnut Street (1275 Main Street)

Code Administrator Christina Wagner reported this is a replat of one lot into two lots and the City was vacating 15 feet of right-of-way for one lot to meet the minimum lot requirements. Wagner also advised that if the owner wished to build a duplex, it would have to come back before the Planning and Zoning Commission to obtain a Conditional Use.

Area neighbor Clebert Tudor inquired if duplexes would be built and was concerned there wouldn't be enough land for the duplexes.

Final Plat of West Side Montgomery (1500 Block of Beck Lane)

Code Administrator Christina Wagner reported that this was a request to plat of land owned by the City of Lebanon from one lot into two lots. This plat would allow for future housing opportunities.

There were no public comments.

Jordan moved and Mizell seconded that the Council move out of Public Hearing and back into Regular Session. Motion carried as follows: Yea: (6) Mutchler, Wall, Jordan, Garner, Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

COUNCIL BILL NO. 6710- FINAL PLAT REPLAT OF ALL OF LOTS 4, 5, 6 AND 7 AND SOUTHEAST 4 FEET OF LOTS 8, 9 AND 10 AND PART OF LOT 11, BLOCK 3 OF ORIGINAL TOWN

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 all of Lots 4, 5, 6 and 7 and Southeast 4 feet of Lots 8, 9 and 10 and part of lot 11, Block 3 of

Original Town of Lebanon to the City of Lebanon, Laclede County, Missouri, known as 949 St. Louis Street.

Wall moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6710 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Mitchell, Mizell, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Jordan moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6710 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Jordan, Garner, Mitchell, Mizell, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6710 duly passed and approved and that it be entered among City Records as Ordinance No. 6954.

COUNCIL BILL NO. 6711- FINAL PLAT REPLAT OF FRACTIONAL PART OF LOTS 3, 6, 7 AND 8, ALL OF LOTS 4 AND 5 IN BLOCK 8 OF ORIGINAL TOWN OF LEBANON AND FRACTIONAL PORTION OF VACATED WALNUT STREET

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 fractional part lots 3, 6, 7 and 8, all of Lots 4 and 5 in Block 8 of Original Town of Lebanon and fractional portion of vacated Walnut Street to the City of Lebanon, Laclede County, Missouri, known as 1275 Main Street.

Mitchell moved and Mizell seconded that the Council approve the first reading of Council Bill No. 6711 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Garner, Mitchell, Mizell, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mizell moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 6711 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mitchell, Mizell, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6711 duly passed and approved and that it be entered among City Records as Ordinance No. 6955.

COUNCIL BILL NO. 6712- FINAL PLAT, WEST SIDE MONTGOMERY

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 West Side Montgomery to the City of Lebanon, Laclede County, Missouri.

Mitchell moved and Mizell seconded that the Council approve the first reading of Council Bill No. 6712 and that it be passed to the second reading. Motion carried as follows: Yea:

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

Jordan moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6712 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mutchler, Wall, Jordan, Garner, Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6712 duly passed and approved and that it be entered among City Records as Ordinance No. 6956.

COUNCIL BILL NO. 6713- TOURISM GRANT ACCEPTANCE, FY2025 MARKETING MATCHING GRANT

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 Project Director to enter into and execute any and all documents necessary for the award acceptance with the State of Missouri Division of Tourism for the FY2025 Marketing Matching Grant to provide funding for the promotion of tourism related activities in the Community and authorizing and directing the Project Director to enter into and execute any subsequent documents for the purpose of utilizing Said Funding for Tourism related Activities and Advertisement.

Jordan moved and Mitchell seconded that the Council approve the first reading of Council Bill No. 6713 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Mitchell, Mizell, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mizell moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6713 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Jordan, Garner Mitchell, Mizell, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6713 duly passed and approved and that it be entered among City Records as Ordinance No. 6957.

COUNCIL BILL NO. 6714- AGREEMENT, TOURISM DIGITAL MARKETING SERVICES, MADDEN MEDIA

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 Madden Media to provide Digital Marketing Services for FY2025 for the Tourism Department.

Jordan moved and Mizell seconded that the Council approve the first reading of Council Bill No. 6714 and that it be passed to the second reading. Motion carried as follows: Yea:

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

Mizell moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6714 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mitchell, Mizell, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6714 duly passed and approved and that it be entered among City Records as Ordinance No. 6958.

COUNCIL BILL NO. 6715- AGREEMENT, RECYCLING SERVICES, LACLEDE INDUSTRIES

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 Laclede Industries for Recycling Services.

Jordan moved and Mizell seconded that the Council approve the first reading of Council Bill No. 6715 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mizell, Mutchler, Wall, Jordan, Garner, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mizell moved and Mutchler seconded that the Council approve the second and final reading of Council Bill No. 6715 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mutchler, Wall, Jordan, Garner Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6715 duly passed and approved and that it be entered among City Records as Ordinance No. 6959.

COUNCIL BILL NO. 6716-TAP AGREEMENT, CONSTRUCTION OF SIDEWALK FROM IVEY LANE AND ELM TO GRANITE LANE, MO 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 an Agreement between the City and the Missouri Highways and Transportation Commission (hereinafter referred to as "Commission"), for the acceptance of Grant Funding for the construction of a Sidewalk along Elm Street from Ivey Lane to Granite Lane.

Mizell moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6716 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Mitchell, Mizell, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Wall moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 6716 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Jordan, Garner, Mitchell, Mizell, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6716 duly passed and approved and that it be entered among City Records as Ordinance No. 6960.

COUNCIL BILL NO. 6717- AGREEMENT, MONSIDO PLATFORM, CIVICPLUS

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 CivicPlus to purchase the Monsido Software Platform for the City's Website.

Wall moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6717 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Garner, Mitchell, Mizell, Mutchler, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Jordan moved and Mitchell seconded that the Council approve the second and final reading of Council Bill No. 6717 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mitchell, Mizell, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6717 duly passed and approved and that it be entered among City Records as Ordinance No. 6961.

COUNCIL BILL NO. 6718- LEASE AMENDMENT, GROUND SPACE LEASE, LEBANON EXPERIMENTAL AIRCRAFT ASSOCIATION

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 First Amendment of the Ground Space Lease Agreement between the City of Lebanon and Lebanon Experimental Aircraft Association.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6718 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mizell, Mutchler, Wall, Jordan, Garner, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mitchell moved and Mizell seconded that the Council approve the second and final reading of Council Bill No. 6718 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Mutchler, Wall, Jordan, Garner, Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6718 duly passed and approved and that it be entered among City Records as Ordinance No. 6962.

COUNCIL BILL NO. 6719- MEMORANDUM OF UNDERSTANDING, LOCAL UNION 753 IBEW FOR ENVIRONMENTAL SERVICES AND ELECTRIC

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 Memorandum of Understanding between the City and Local Union 753 of the International Brotherhood of Electrical Workers, affiliated with the AFL-CIO, for the Electric Division and Environmental Services Division; rescinding the previous version and replacing in its entirety.

Wall moved and Mutchler seconded that the Council approve the first reading of Council Bill No. 6719 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Wall, Jordan, Garner, Mitchell, Mizell, and Mutchler; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mutchler moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 6719 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Jordan, Garner, Mitchell, Mizell, Mutchler, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Mayor Carr declared Council Bill No. 6719 duly passed and approved and that it be entered among City Records as Ordinance No. 6963.

COUNCIL BILL NO. 6701- CODE AMENDMENT, AMENDING ATV AND ENACTING UTV AND GOLF CART CODES

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 44 Traffic and Vehicles Article VII All-Terrain Vehicles and to enact newly created Articles X and XI to address Utility Vehicles and Golf Carts.

Garner moved and Jordan seconded that the Council approve the first reading of Council Bill No. 6701 and that it be passed to the second reading.

Mutchler moved and Jordan seconded that Bill No. 6701 be amended as follows. Stricken language reflected in red strikethrough and added language is reflected in black bold.

Sec. 44-727.- Prohibited on city streets; exceptions.

- (1) All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation **unless equipped with adequate lighting.**

Sec. 44-841.- Prohibited on city streets; exceptions

- (1) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation **unless equipped with adequate lighting.**

Sec. 44-844.- Careless driving; driving under the influence; helmet requirement.

- (4) **Without a front-facing head lamp emitting a white light and a rear-facing red lamp on the rear when in use on a City street during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise.**

Sec. 44-869.- Prohibited on city streets; exceptions

- (1) Golf carts operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation **unless equipped with adequate lighting.**
- (2) **Golf carts being operated in a parade compliant with Section 38-57 Lebanon City Code.**

Sec. 44-870.- Prohibited in/on State highways, parks, trails, and sidewalks

- (b) No person shall operate a golf cart on **any City street with a posted speed limit greater than twenty-five (25) miles per hour** or on any state highway, except to cross a portion of the State highway system that intersects a municipal street. However, no golf cart shall cross any highway at an intersection where the highway being crossed has a posted speed limit of more than forty-five miles per hour.

Sec. 44-871.- License, equipment, and flag required

- (5) ~~Except between the official sunrise and sunset on the day of operation~~ **Without a front-facing head lamp emitting a white light and a rear-facing red lamp on the rear when in use on a City street during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise.**

SECTION 6: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 44 Traffic and Vehicles Article VII All-Terrain Vehicles Section 44-730 Careless driving; driving under the influence; helmet requirement; additions noted in bold as follows:

- (4) **Without a front-facing head lamp emitting a white light and a rear-facing red lamp on the rear when in use on a City street during the period from one-half (½) hour after sunset to one-half (½) hour before sunrise.**

SECTION ~~6~~ 7: Should any part of this Ordinance be rendered or declared invalid by a

court of competent jurisdiction in the State of Missouri, such invalidation of such part or portion of this Ordinance shall not invalidate the remaining portions thereof and shall remain in full force and effect.

SECTION 7 8 : That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Motion to amend Council Bill No. 6701 carried as follows: Yea: (6) Mitchell, Mizell, Mutchler, Wall, Jordan, and Garner; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

Motion to move Council Bill No. 6701 as amended to the second reading carried as follows. Yea: (6), Mizell, Mutchler, Wall, Jordan, Garner, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

The second reading is scheduled for July 22, 2024.

COUNCIL BILL NO. 6720- CODE AMENDMENT, AMENDING 44-467 PARKING IN FRONT OF MAILBOXES

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 44 Traffic and Vehicles, Article V Stopping, Standing and Parking, Section 44-467 Prohibited Stopping, Standing and Parking Areas Enumerated to address parking in front of mailboxes.

Jordan moved and Mitchell seconded that the Council approve the first reading of Council Bill No. 6720 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mutchler, Wall, Jordan, Garner, Mitchell, and Mizell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Evans.

The second reading scheduled for July 22, 2024.

COMMENTS

Councilman Mizell shared an idea for the future that the City could look at engaging in an event to host a fireworks display for the citizens as other cities do.

Councilman Garner shared that he agreed with Councilman Mizell.

Mayor Carr advised that the next meetings would be held on July 22nd and August 12th. He also shared that there would be a storm debris pick-up area on July 15th and the area would be outlined on the website. He thanked the Public Works Director Richard Shockley and City Administrator Mike Schumacher, as well as Public Works for all they have done.

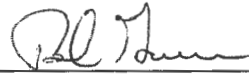
City Administrator Mike Schumacher advised that the City lost a tornado siren in the storm and Mayor Carr shared that it was an emergency purchase. Mayor Carr also advised that the setup of America 250 Commission had started and they would be getting that going.

ADJOURNMENT

Mayor Carr declared the meeting adjourned at 7:30 pm.

ATTEST:


City Clerk Laina Starnes


Mayor Pro Tem Bob Garner

Minutes Approved July 22, 2024