

CITY OF LEBANON
CITY COUNCIL MEETING MINUTES
October 5, 2020

BE IT REMEMBERED that the Council of the City of Lebanon, Missouri, met in Regular Session on October 5, 2020 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: Ken Eldridge, Sheila Mitchell, Jonathan Reagan, Josh Ray, Randy Wall, Chuck Jordan, and Mayor Carr. Absent: Gib Adkins and Bob Garner.

A quorum was declared.

Staff members and others in attendance: City Administrator Mike Schumacher, Public Works Director Richard Shockley, Fire Chief Sam Schneider, Code Administrator Joe Berkich, Purchasing Agent Jessica Meiners, Communications Manager Derek Gean, Electric Superintendent Travis Long, Environmental Services Superintendent Eric Mork, Assistant City Administrator/City Clerk Laina Starnes, and City Counselor Chris Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Gary Sheets of North 5 Free Will Baptist Church, followed by the pledge of allegiance.

PUBLIC COMMENTS

Bill Benson- spoke about the COVID crisis and stated he thought we were in a public health emergency. He quoted statistics provided by the Laclede County Health Department on the subject, spoke of personally knowing people who were sick with COVID, and said he looked forward to a plan from City leadership. He then addressed the skatepark recently relocated to Gasconade Park. He said he had been involved with the skatepark for about 10 years and thought the new site was too dangerous due to its size and it didn't have the standard of excellence as other projects. He also said he hoped the old fixtures placed there would be refurbished and inspected. Lastly, he suggested the Mayor do a proclamation recognizing Colonel Michael Hopkins, who was born in Lebanon and raised in Richland, for his upcoming space mission set to launch on October 31st.

Doug Kinnett- addressed the Council about property he owned on East Bluebird and liens that were placed on that property by the City for road improvements, which subsequently caused him to file a lawsuit against the City. During his comments, he said the lawsuit was dropped but then the City turned around and sued him for unjust enrichment. He then asked the Mayor and Council to instruct City Administrator Mike Schumacher and City Counselor Chris Allen to provide him with documents supporting the suit. City Counselor Chris Allen responded by saying that Mr. Kinnett was represented by an attorney and he should go through his attorney to seek the requested documents.

DISCUSSIONS AND PRESENTATIONS

Community Cares Proclamation

Mayor Carr read the following proclamation aloud and proclaimed September 21st through October 16th, 2020 as “A Season of Giving.” He then presented the proclamation to Lebanon Area Foundation and Community Cares Director Melinda Fries.

WHEREAS, Community Cares was established in 2000 by the Lebanon Area Foundation to assist charitable organizations within Laclede County with funding for vital needs to serve Laclede County residents through local donations; *and*

WHEREAS, over the past twenty years, Community Cares has awarded grants to 69 different charitable organization totaling \$1,756,491, with all contributions remaining local; *and*

WHEREAS, as a part of its 2020 fundraising campaign, Community Cares is partnering with local businesses to receive donations from the community; *and*

WHEREAS, on Monday, September 21, 2020, the Lebanon Area Foundation and various other local businesses, will begin displaying signs asking citizens to support local nonprofits by donating to Community Cares during the Annual Campaign of Caring; *and*

WHEREAS, the following generous sponsors have provided sponsorship funding underwritten the costs for the Community Cares Annual Campaign of Caring: Laclede Electric Cooperative; Pillar Insurance; Commerce Bank; *and*

WHEREAS, the City of Lebanon is participating in the Community Cares Annual Campaign of Caring, which will continue through October 16, 2020.

WHEREAS, the City of Lebanon wishes to show its support by acknowledging Community Cares on this day and encouraging all able individuals and organizations to contribute during the Community Cares Annual Campaign of Caring; *and*

NOW THEREFORE, I, Mayor Jared Carr, on behalf of the City of Lebanon, do hereby proclaim September 21st through October 16, 2020 as

“A Season of Caring”

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Lebanon to be affixed this 28th day of September 2020.

Plan for Street Development Costs

Public Works Director Richard Shockley presented the current avenue by which a developer could construct infrastructure in a subdivision. Those options were articulated with one of them being participation in the City’s “Subdivision Improvement Program.” Shockley presented the City’s current program and then provided

information on a proposed program. The proposed program would suspend the current program for 24-36 months and reduce costs with the intent to spur development. City Administrator Mike Schumacher then shared that assessments would be placed on the property for the amount owed by the developer upon completion. The developer would be given time to pay that debt which would be placed on their tax bill should they not uphold their part of the agreement. Schumacher reported this proposal would be formally presented to Council for their consideration at an upcoming meeting.

CONSENT AGENDA

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

- September 14, 2020 Council Minutes
- Warrants #100966-#101118, Payroll, and Drafts
- June and July Treasurers Report

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

RESOLUTION NO. 460- SUPPORTING THE PROJECT OF O'REILLY DEVELOPMENT COMPANY OF SPRINGFIELD TO CONSTRUCT AFFORDABLE SENIOR HOUSING AT THE CORNER OF TOWER ROAD AND GLENCASTLE LANE

Eldridge moved and Jordan seconded that the Council approve Resolution No. 460 as presented.

“A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI SUPPORTING THE PROJECT OF O'REILLY DEVELOPMENT COMPANY OF SPRINGFIELD, MISSOURI TO CONSTRUCT AFFORDABLE SENIOR HOUSING AT THE CORNER OF TOWER ROAD AND GLENCASTLE LANE.

WHEREAS, that O'Reilly Development Company develops affordable rental properties throughout the state of Missouri; *and*

WHEREAS, that the proposed housing development, to be known as Tower Village East, will contain 32 dwelling units as single story four-plex style senior apartment homes; *and*

WHEREAS, that the units will serve seniors 55 years of age or older with rental rates based on the tenant's income; *and*

WHEREAS, that the property will have the following amenities: modern equipped kitchens with appliances, ceiling fans, mini-blinds, washer and dryers and will also be designed with numerous environmentally green features; *and*

WHEREAS, that the City will benefit greatly by the new construction of this independent senior housing development; *and*

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

SECTION 1: That the Mayor and City Council of the City of Lebanon, Missouri hereby supports and approves the development of the aforesaid housing development in our community, subject to the City ordinances and the building permit process.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, as this 28th day of September 2020.

(Seal)

Mayor Jared Carr

Attest:

City Clerk Laina Starnes”

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

PUBLIC HEARING

Jordan moved and Ray seconded that the Council move out of Regular Session and into Public Hearing. Yea: (6) Reagan, Ray, Wall, Jordan, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Final Plat of Suribachi Hills

Code Administrator Joe Berkich reported the purpose of the replat was that the property owner was wanting to combine two lots into one and develop a driveway access to Rosenthal Drive. He said the lot with the house on it was landlocked and the current driveway went across another person’s property. There were no public comments.

Wall moved and Ray seconded that the Council move out of Public Hearing and back into Regular Session. Yea: (6) Ray, Wall, Jordan, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

COUNCIL BILL NO. 5050- REZONING, CORNER OF TOWER ROAD AND GLENCastle LANE RS-1 RESIDENTIAL TO CL 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 property located at Tower Road and Glencastle Lane from RS-1 Residential to CL Limited Commercial; fixing the effective date thereof; repealing ordinances or parts thereof in conflict.

Ray moved and Jordan seconded that the Council approve the second and final reading of Council Bill No. 5050 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Wall, Jordan, Eldridge, Mitchell, Reagan, and Ray; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5050 duly passed and approved and that it be entered among City Records as Ordinance No. 6199.

COUNCIL BILL NO. 5051- FINAL PLAT, SURIBACHI HILLS

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 Suribachi Hills Subdivision, a Subdivision to Lebanon, Laclede County, Missouri.

Eldridge moved and Wall seconded that the Council approve the first reading of Council Bill No. 5051 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Jordan, Eldridge, Mitchell, Reagan, Ray, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mitchell moved and Ray seconded that the Council approve the second and final reading of Council Bill No. 5051 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Eldridge, Mitchell, Reagan, Ray, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5051 duly passed and approved and that it be entered among City Records as Ordinance No. 6200.

COUNCIL BILL NO. 5052- PURCHASE, ELECTRIC DEPARTMENT FORESTRY TRUCK, ALTEC

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") surplusing a 2002 Hi-Ranger with Bar Code No. 20181075 and authorizing the purchase of a 2020 Forestry Truck from Altec for the Electric Department.

Jordan moved and Reagan seconded that the Council approve the first reading of Council Bill No. 5052 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mitchell, Reagan, Ray, Wall, Jordan, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Eldridge moved and Ray seconded that the Council approve the second and final reading of Council Bill No. 5052 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Eldridge, Mitchell, Reagan, Ray, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5052 duly passed and approved and that it be entered among City Records as Ordinance No. 6201.

COUNCIL BILL NO. 5053- APPLICATIONS, PURCHASING CARD AND ELECTRONIC PAYMENT SERVICES, ARVEST BANK

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 execute Arvest Bank applications for Purchasing Card and Electronic Payment Services and any additional documentation necessary to implement Said Services.

Wall moved and Reagan seconded that the Council approve the first reading of Council Bill No. 5053 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Ray, Wall, Jordan, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Jordan moved and Eldridge seconded that the Council approve the second and final reading of Council Bill No. 5053 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Wall, Jordan, Eldridge, Mitchell, Reagan, and Ray; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5053 duly passed and approved and that it be entered among City Records as Ordinance No. 6202.

COUNCIL BILL NO. 5054- AGREEMENT, MAINTENANCE OF CIVIC CENTER TELESCOPIC BLEACHERS, CARROLL SEATING COMPANY

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 Maintenance Service Agreement between the City and Carroll Seating Company for the Telescopic Bleachers in the Exhibition Hall at the Cowan Civic Center.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 5054 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Jordan, Eldridge, Mitchell, Reagan, Ray, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Jordan moved and Reagan seconded that the Council approve the second and final reading of Council Bill No. 5054 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Eldridge, Mitchell, Reagan, Ray, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5054 duly passed and approved and that it be entered among City Records as Ordinance No. 6203.

COUNCIL BILL NO. 5055- AGREEMENT, POLISH CONCRETE FLOOR AT MILLS CENTER AND COWAN CIVIC CENTER, MID AMERICA CONCRETE SURFACING

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 Mid America Concrete Surfacing for the grinding, polishing and sealing of concrete at the Mills Center and Cowan Civic Center.

Eldridge moved and Wall seconded that the Council approve the first reading of Council Bill No. 5055 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Mitchell, Reagan, Ray, Wall, Jordan, and Eldridge; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Jordan moved and Wall seconded that the Council approve the second and final reading of Council Bill No. 5055 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Reagan, Ray, Wall, Jordan, Eldridge, and Mitchell; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5055 duly passed and approved and that it be entered among City Records as Ordinance No. 6204.

COUNCIL BILL NO. 5056- AGREEMENT, LAND LEASE FOR THE ALLEN BUILDING REDEVELOPMENT, BNSF RAILWAY COMPANY

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 Land Lease Agreement between the City and BNSF Railway Company for a parking area required for the redevelopment of the Allen Building and authorizing the demolition of a portion of the building constructed on Said Land owned by BNSF Railway Company.

Mitchell moved and Reagan seconded that the Council approve the first reading of Council Bill No. 5056 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Ray, Wall, Jordan, Eldridge, Mitchell, and Reagan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Eldridge moved and Ray seconded that the Council approve the second and final reading of Council Bill No. 5056 and that the roll be called for the approval and passage of said

bill. Motion carried as follows: Yea: (6) Eldridge, Mitchell, Reagan, Ray, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5056 duly passed and approved and that it be entered among City Records as Ordinance No. 6205.

COUNCIL BILL NO. 5057- PURCHASE, SEWER LINE CAMERA SOFTWARE, IT PIPES

An Ordinance by the City Council of the City of Lebanon, Laclede County, Missouri, (hereinafter referred to as "City") approving the purchase of Sewer Line Camera Software from IT Pipes for the Wastewater Department.

Wall moved and Jordan seconded that the Council approve the first reading of Council Bill No. 5057 and that it be passed to the second reading. Motion carried as follows: Yea: (6) Jordan, Eldridge, Mitchell, Reagan, Ray, and Wall; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mitchell moved and Reagan seconded that the Council approve the second and final reading of Council Bill No. 5057 and that the roll be called for the approval and passage of said bill. Motion carried as follows: Yea: (6) Eldridge, Mitchell, Reagan, Ray, Wall, and Jordan; Nay: (0) None; Abstain: (0) None; Absent: (2) Adkins and Garner.

Mayor Carr declared Council Bill No. 5057 duly passed and approved and that it be entered among City Records as Ordinance No. 6206.

COMMENTS

Public Works Director Richard Shockley- reported there was a preconstruction meeting held with MoDOT for the repair of Jefferson and 4 ft. wide strips next to the gutter would be milled and repaired this fall.

City Administrator Mike Schumacher- informed the Council that there would be several lease purchases on the next agenda for their consideration. He stated they would be asking to finance approximately \$1.2 million of equipment at 1.83% interest. He also reported that the 2020 Citizen Survey was complete, but he hadn't received the report yet.

Councilman Eldridge- commended staff on the red and blue painted crosswalks on Madison and Commercial in support of fire and police personnel.

Councilwoman Mitchell- expressed she thought Van Buren Street looked good. She also stated that she appreciated Bill Benson's comments during public comments as well as the social distancing setup for the meeting. Mitchell stated she felt we should be diligent in doing whatever we could to keep people safe.

Councilman Ray- expressed his appreciation to Assistant City Administrator/City Clerk for her assistance with a citizen issue. He added the citizen wanted to relay her appreciation as well. He then echoed Councilwoman Mitchell's comments regarding COVID and said masking up was an additional precaution and it showed respect. He then turned his comments toward the subject of the skatepark at Gasconade Park and shared his concerns. During his comments, he stated it just looked like a concrete slab.

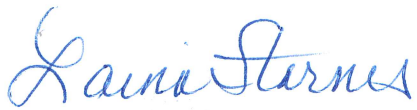
Councilman Jordan- shared he was moving but would remain in Ward 4.

Mayor Carr- encouraged citizens to continue to social distance. He then asked Councilman Ray to take on the skatepark and provide ideas. He further said the skatepark, formerly located at the old Nelson Park, was relocated and made better. Councilman Ray expressed he wasn't a skater; however, he wanted to advocate for the skaters. Mayor Carr then commented that the proclamation suggestion made during public comments to recognize Colonel Michael Hopkins was a great idea. During his comments, Mayor Carr reported the City was the recipient of the Lebanon Area Chamber of Commerce 2020 Large Business Award for its work on the Farmers Market, Nelson Park, and the Downtown Light Up Water Tower.

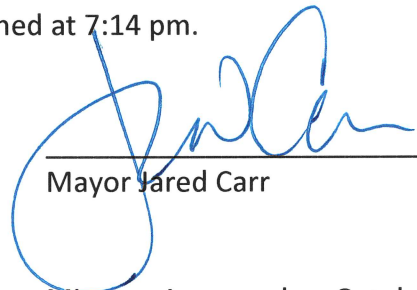
ADJOURNMENT

Mayor Carr declared the meeting adjourned at 7:14 pm.

ATTEST:



City Clerk Laina Starnes



Mayor Jared Carr
Minutes Approved October 26, 2020