

OFFICIAL COUNCIL PROCEEDINGS

**August 21, 2001
7:00 P.M.**

ROLL CALL

Present: Mayor Hark, Council Members Dexheimer, Behymer, Morgan, and Janes - 5

Absent: Council Members Higdon and Wilson - 2

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

Motion was made by Council Member Dexheimer to excuse Council Members Higdon and Wilson. Motion was seconded by Council Member Behymer.

Motion carried.

INVOCATION

The invocation was given by Council Member Behymer.

PLEDGE OF ALLEGIANCE

Council Member Dexheimer led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES
Regular Meeting – August 7, 2001**

Council Member Dexheimer made motion to approve the Council Minutes for the Regular Meeting held on August 7, 2001, seconded by Council Member Behymer.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
August 2001 – First Half**

Motion to approve claims for the first half of August 2001 was made by Council Member Behymer. Motion was seconded by Council Member Morgan.

Motion carried.

SALES TAX REPORT

The Clerk reports \$93,604.08 received from the Dept of Revenue for the 1 cent sales tax distribution, compared to last year's \$82,596.52 for same the period.

The Clerk reports \$46,797.32 received from the Dept of Revenue for the ½ cent sales tax distribution, compared to last year's \$41,298.32 for the same period.

The Clerk reports \$45,057.13 received from the Dept of Revenue for the ½ cent Park tax distribution, compared to last year's \$42,644.51 for the same period.

**MAYOR HARK
Re: Proclamation - Neighborhood Pride Month**

Mayor Hark asked the City Clerk to read a proclamation declaring August 2001 Neighborhood Pride Month.

**GARY SHIMUN – CITY MANAGER
Re: Agreement with Armstrong Teasdale, LLP to Create a Transportation
Development District
(Resolution 920 to follow)**

Mr. Shimun asked Council's approval in regards to the agreement that allows Armstrong Teasdale to create a Transportation Development District.

**Re: Loan Agreement with Midwest Information Technology Group
(Resolution 921 to follow)**

Mr. Shimun also asked permission to allow the Mayor to sign a completed loan agreement which would allow the City of Hannibal to loan funds to MITG as was discussed at the last meeting.

Re: Nomination to Library Board

Mr. Shimun made a nomination for the Library Board to be considered at the next regular meeting.

Re: Nomination to Board of Adjustment

Mr. Shimun also made a nomination for the Board of Adjustment to be considered at the next regular Council meeting.

Re: Approval for Nominations for Various Boards and Commissions

Mr. Shimun asked Council's approval on the following Board and Commission appointments which were nominated at the last regular Council meeting.

Tree Board

Branson Woods – A three-year term to expire September 2004

Hannibal Parks & Recreation Board

Wells Pettibone – A three-year term to expire July 2004

Gail Viorel – A three-year term to expire July 2004

Airport Committee

Bill Harding – a three-year term to expire September 2004

Employee Benefit Trust Board

Charles Paxton – Remainder of a three-year term to expire May 2002

Hannibal Convention and Visitors Bureau

Gail Terrill – A five-year term to expire September 2006

Motion was made by Council Member Behymer to approve these appointments. Motion was seconded by Council Member Morgan.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK

Re: Formation of an Ordinance and Procedure Revision Committee

The City Clerk explained the purpose of this committee and asked Council's approval in forming it. Council Member Behymer expressed his concern in forming this committee legally and asked that the City Attorney draw up an ordinance forming this committee in an official manner.

JACK HERRING – BPW DIRECTOR OF OPERATIONS
Re: Addendum to Contract with Ray’s Construction
(Resolution 922 to follow)

Mr. Herring explained the need for the addendum to the previous contract and asked Council’s approval for this addendum.

BILL LANKFORD – SUPT. OF PARKS & RECREATION
Re: Improvements at Cardiff Hill Park
(Resolution 919 to follow)

Mr. Lankford asked Council to approve this Resolution that would allow the Mayor to enter into an agreement with Poepping, Stone, Bach & Associates for improvements at Cardiff Hill Park.

JERRY KELLEY – CITY PLANNER
Re: Adult Cabaret Ordinance
(Bill No. 01-787 to follow)

Mr. Kelley stated that due to an oversight, they could not consider this bill at this meeting since no Public Hearing had been held. He asked Council’s approval in setting a public hearing date for September 4, 2001, at 6:50 P.M. in Council Chambers.

Motion to approve was made by Council Member Morgan, seconded by Council Member Dexheimer.

Motion carried.

Re: Mural Restoration Grant Application

Mr. Kelley informed Council that he was checking into obtaining grant funds that would be a 50/50 match for the cost of restoring the mural in the Council Chambers. He Asked that Council set aside \$5,000.00 in their budget to pay for this if the funds are obtained through this grant. He informed Council that this was a “for information only” item as he still had to complete the grant process.

JIM DEXHEIMER – FIREBOARD CHAIRMAN
Re: Change of Fire Prevention Code
(Bill No. 01-788 to follow)

Fire Board Chairman, Jim Dexheimer, informed Council that this Bill would update the current fire prevention code stating that they would use the “most current BOCA codes” instead of “the 1987 BOCA codes” in the ordinance book.

JIM BURNS – CITY ENGINEER
Re: Bid Recommendation – Asphalt Milling Machine

Mr. Burns asked Council’s approval in awarding the bid for this piece of equipment to Asphalt Zipper Company who was the lowest (and only) bidder for this piece of equipment.

Motion to approve was made by Council Member Dexheimer, seconded by Council Member Behymer.

Motion carried.

Re: Vacation of Portions of an Alley
(Bill No. 01-789, 01-790 & 01 791)

Mr. Burns explained to Council the above Bill numbers and showed them a map indicating what property this would effect. He asked Council’s approval for these Bills that would enable vacating of the alley off of Mark Twain Avenue.

RICK JOHNSON – ASST. CITY ENGINEER
Re: Spring Street Extension

Mr. Johnson gave Council an update on the Spring Street Project explaining what would be involved in extending Spring Street to Hwy 79.

Re: City Owned Property

Mr. Johnson asked Council’s direction involving a piece of property with a house on Wardlaw Street. This property was purchased by the City in order to complete a road in that area. After purchasing the house and completing the road, they found it was not necessary to demolish the house and therefore, it could be resold.

Motion was made by Council Member Behymer to contact a local real estate agency and determine what the property is worth. This determination can be brought back to Council when it is received. Motion was seconded by Council Member Morgan.

Motion carried.

RESOLUTION
919

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH POEPPING, STONE, BACH & ASSOCIATES FOR IMPROVEMENTS AT CARDIFF HILL PARK

Motion was made by Council Member Dexheimer to have the Clerk read this Resolution and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, Morgan and Janes – 5

No: -0-

Absent: Council Members Higdon and Wilson – 2

Mayor Hark declared Resolution 919 duly approved and adopted on this date.

**RESOLUTION
920**

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ARMSTRONG TEASDALE, LLP TO SERVE AS SPECIAL TAX COUNSEL AND BOND COUNSEL IN CONNECTION WITH THE CREATION OF A TRANSPORTATION DEVELOPMENT DISTRICT FOR THE PURPOSE OF FUNDING THE DIAMOND BOULEVARD PROJECT

Motion was made by Council Member Dexheimer to have the Clerk read this Resolution and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, Morgan and Janes – 5

No: -0-

Absent: Council Members Higdon and Wilson – 2

Mayor Hark declared Resolution 920 duly approved and adopted on this date.

**RESOLUTION
921**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A
LOAN AGREEMENT WITH MIDWEST INFORMATION TECHNOLOGY
GROUP**

Motion was made by Council Member Dexheimer to have the Clerk read this Resolution and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, Morgan and Janes –
5

No: -0-

Absent: Council Members Higdon and Wilson - 2

**RESOLUTION
922**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING AN
ADDENDUM TO THE CONTACT WITH RAY'S CONSTRUCTION FOR
SEWER LINE CROSSING AT HIGHWAY 36 AND SHINN LANE IN THE
AMOUNT OF \$154,670.00**

Motion was made by Council Member Dexheimer to have the Clerk read this Resolution and call the roll for adoption. Motion was seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, Morgan and Janes -
5

No: -0-

Absent: Council Members Higdon and Wilson - 2

BILL NO. 01-787

**AN ORDINANCE AMENDING ARTICLE IX SUPPLEMENTAL
REGULATIONS OF CHAPTER 32 OF THE HANNIBAL CITY CODE, ZONING.
(ADULT CABARETS)**

Motion was made by Council Member Dexheimer to have the Clerk give this bill a first reading, seconded by Council Member Behymer.

Motion carried.

FIRST READING

BILL NO. 01-788

**AN ORDINANCE AMENDING ARTICLE III, FIRE PREVENTION CODE, OF
CHAPTER 12 OF THE HANNIBAL CITY CODE**

Motion was made by Council Member Dexheimer to have the Clerk give this bill a first reading. Motion was seconded by Council Member Behymer.

Motion carried.

FIRST READING

BILL NO. 01-789

**AN ORDINANCE VACATING A PORTION OF A NORTH-SOUTH ALLEY
LOCATED BETWEEN PLEASANT ST. AND MARK TWAIN AVE.**

Motion was made by Council Member Dexheimer to have the Clerk give this bill a first reading. Motion was seconded by Council Member Behymer.

Motion carried.

FIRST READING

BILL NO. 01-790

**AN ORDINANCE VACATING A PORTION OF A NORTH-SOUTH ALLEY
LOCATED BETWEEN PLEASANT ST. AND MARK TWAIN AVE.**

Motion was made by Behymer to have the Clerk give this bill a first reading. Motion was seconded by Council Member Dexheimer.

Motion carried.

FIRST READING

BILL NO. 01-791

**AN ORDINANCE VACATING A PORTION OF A NORTH-SOUTH ALLEY
LOCATED BETWEEN PLEASANT ST. AND MARK TWAIN AVE.**

Motion was made by Council Member Dexheimer to have the Clerk give this bill a first reading. Motion was seconded by Council Member Behymer.

Motion carried.

FIRST READING

BILL NO. 01-786

**AN ORDINANCE AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES
PERTAINING TO LICENSE FEES
(CREDIT UNIONS)**

Motion was made by Council Member Behymer to have the Clerk give this bill a second and final reading and call the roll for adoption. Motion was seconded by Council Member Dexheimer.

Motion carried.

SECOND AND FINAL READING

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, Morgan and Janes - 5

No: -0-

Absent: Council Members Higdon and Wilson – 2

Mayor Hark declared Bill No. 01-786 duly approved and adopted on this date.

ADJOURNMENT

Motion was made by Council Member Dexheimer to adjourn. Motion was seconded by Council Member Behymer.

Motion carried.

Mary Beth Baudendistel, City Clerk

Roy G. Hark, Mayor

