

OFFICIAL COUNCIL PROCEEDINGS
Regular Meeting

March 20, 2001
7:00 p.m.

ROLL CALL

Present: Mayor Moloney, Council Members: Dexheimer, Behymer, Higdon, Morgan,
Danforth and Wilson – 7

CALL TO ORDER

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

INVOCATION

The invocation was given by Council Member Dexheimer.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Motion to approve minutes from the regular meeting of March 6th, 2001, was made by Council Member Behymer, and seconded by Council Member Higdon.

Motion carried.

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

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

Motion approved.

**CITY CLERK MARY BETH BAUDENDISTEL
Re: Sales Tax**

Clerk reported \$252,449.94 received from the Department of Revenue for the 1 cent sales tax yield for the month of March, 2001 (Comparison last year of \$269,082.99).

Clerk reported \$126,363.80 received from the Department of Revenue for the ½ cent sales tax yield for the month of March, 2001 (Comparison last year of \$134,541.02).

Clerk reported \$126,363.80 received from the Department of Revenue for the ½ cents Park tax yield for the month of March, 2001 (Comparison last year of \$134,300.44).

Mayor Moloney then recognized Council Member Morgan who entertained motion to be added to the agenda in order to read the statement that Council was asked to prepare for the public. Mayor Moloney seconded motion.

Motion carried.

**COUNCIL MEMBER MORGAN
Re: Council Statement for Public Record**

In February of this year, various charges of misconduct were alleged with regard to the Hannibal City Manager. The Hannibal City Council met in closed session on February 20, 2001, to investigate and to evaluate the accusations. Each allegation was considered and evaluated. Legal counsel was sought where appropriate. After careful examination and inquiry into each charge, Council determined that the

accusations were without merit and that the City Manager had not conducted himself in an unethical, unprofessional or illegal manner.

Mayor Moloney then recognized Council Member Dexheimer who wished to make a statement. "Just so it's understood that that's not entirely correct (the terminology on the last end there) and that wasn't the unanimous opinion."

CITY MANAGER GARY SHIMUN
Re: Set Public Hearing for Franchise Agreement

Gary Shimun requested that Council set up a date for a public hearing for the purpose of transferring the present franchise agreement from TCI Cable to U.S. Cable, and also to renew the franchise agreement with U.S. Cable. Motion was made by Council Member Wilson to set the public hearing for April 3, 2001 at 6:30 P.M. Motion seconded by Council Member Behymer.

Motion carried.

CITY PLANNER JERRY KELLEY
Re: Proposed Voluntary Annexation

Jerry Kelley requested that Council set a public hearing for the purpose of volunteer annexation of property on Clover Road (commonly referred to as the Agnes Shoup property). Motion was made by Mayor Moloney to set a public hearing for April 3, 2001 at 6:50 P.M. Motion seconded by Council Member Danforth.

Motion carried.

ASSISTANT CITY ENGINEER RICK JOHNSON
Re: Change Order No. 3
Cherokee-Settler's Trail Reconstruction

Rick Johnson recommended to Council that they approve this Change Order in the amount of - \$5,962.49. The proposed change will result in a reduction in total contract price for this project and the revised contract amount would then be \$478,230.68. Motion was made by Council Member Danforth to approve this change order. Motion seconded by Council Member Behymer.

Motion carried.

FIREBOARD CHAIRMAN JIM DEXHEIMER
Re: Fire Board Request

On behalf of the Fire Board, Chairman Dexheimer asked that Council approve the addition of the following paragraph into page 1 of the Employee Guide to Success.

"The Employee Guide to Success replaces the previous City of Hannibal Personnel Policies and Procedures Manual, to the extent an employee may be subject to City Ordinance, the City Fire Board, State or Federal statutes or regulations of understanding, or may be subject to the collective bargaining agreement Memorandum of Understanding, the Department Specifics Manual, these specific rules take precedence over this Manual. If no such rules apply, or are silent on a topic addressed in this Manual, this Manual applies."

Motion was made by Council Member Dexheimer, seconded by Council Member Behymer to include the paragraph in the Employee Guide to Success, Page 1.

After a lengthy discussion, a substitute motion was made by Council Member Higdon, and seconded by Council Member Danforth to amend the previous paragraph and instead insert this paragraph into page 1 of the Employee Guide to Success.

"The Employee Guide to Success replaces (supercedes) the previous City of Hannibal Personnel Policies and Procedures Manual for the City of Hannibal, with the exception of the Memorandum of Understanding."

Motion carried.

Council also directed City Attorney Peter Danielsons to work with the City Clerk in drafting a letter to the Union notifying our intent to discuss the Memorandum of Understanding and to send it certified.

**CITY MANAGER GARY SHIMUN
Re: Employee Guide to Success**

Mr. Shimun presented the Employee Guide to Success asking Council to entertain a motion for approval as amended (including paragraph above), and to have the effective date of the manual to be 07-01-01. Motion was made by Council Member Higdon to approve the Employee Guide to Success, as amended. Motion was seconded by Council Member Morgan.

Motion carried.

**BPW SUPERINTENDENT BOB CHRISCINSKE
Re: Shinn Lane/ Route 36 Sewer Main Relocation
Construction Contract Award**

Mr. Chriscinske presented bid tabulations for the above referenced project and recommended that Council award the bid to T.J.'s General Contracting (Resolution to follow).

**HANNIBAL ARTS COUNCIL
Re: Request for Use of Streets**

Council Member George Danforth read a request on behalf of the Hannibal Arts Council requesting use of streets during the upcoming 14th Annual River Arts Festival to be held on May 26 & 27, 2001. Motion was made by Council Member Danforth to approve request. Motion was seconded by Council Member Wilson.

Motion carried.

**KEVIN KNICKERBOCKER – HANNIBAL JAYCEES
Re: Request to Use City Owned Properties During the Annual Nat'l. Tom Sawyer Days Festival**

Mr. Knickerbocker made request on behalf of the Hannibal Jaycees for use of city property, (6/30 – 7/8/01) and asked that Council grant a waiver of license for the carnival and baseball card show. After a lengthy discussion concerning safety and the proximity to the railroad tracks, Council Member Dexheimer made a motion to approve the request. Mayor Moloney seconded the motion.

Motion carried.

Council Member Morgan did instruct Mr. Knickerbocker to make his request for next year earlier, so that Council might have time to discuss and solve any safety issues and perhaps work on finding an alternate location that is not so close to the railroad tracks.

**RESOLUTION
873**

**A RESOLUTION APPROVING A BID FOR SEWER MAIN RELOCATION WORK FOR THE
SHINN LANE INTERCHANGE PROJECT FOR THE BOARD OF PUBLIC WORKS WITH
T.J.'S GENERAL CONTRACTING.**

Mayor Moloney entertained a motion to read, approve, and have the Clerk call the roll for adoption. Council Member Dexheimer made motion, seconded by Council Member Behymer.

Motion carried.

Roll Call

Yes: Mayor Moloney, Council Member Dexheimer, Behymer, Higdon, Morgan, Danforth and Wilson.-7

No: -0-

Mayor Moloney declared Resolution 873 duly approved and adopted this 20th day of March 2001.

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF HOUCK ADDITION
SECOND REVISION A SUBDIVISION LYING IN PART OF THE EAST HALF OF SECTION
24, TOWNSHIP 57 NORTH, RANGE 5 WEST, IN THE CITY OF HANNIBAL, MARION
COUNTY, MISSOURI**

SECOND AND FINAL READING

Motion was made by Council Member Danforth, seconded by Council Member Wilson to have the Clerk give second reading and call the roll for adoption.

Motion carried.

Roll Call

Yes: Mayor Moloney, Council Members Dexheimer, Behymer, Higdon, Morgan, Danforth and Wilson – 7

No: -0-

Mayor Moloney declared this Bill duly approved and adopted this 20th day of March 2001.

Bill No. 01-765

ORDINANCE 4163

**AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL
PERTAINING TO THE CITY CLERK**

SECOND AND FINAL READING

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

Motion carried.

Roll Call

Yes: Mayor Moloney, Council Members Dexheimer, Behymer, Higdon, Morgan, Danforth and Wilson – 7

No: -0-

Mayor Moloney declared this Bill duly approved and adopted this 20th day of March, 2001.

Bill No. 01-766

SECOND AND FINAL READING

Motion was made by Council Member Higdon, seconded by Mayor Moloney to have the Clerk read and call the roll for adoption. Council Member Wilson made a substitution motion to table Bill No. 01-766. Motion was seconded by Council Member Dexheimer.

Motion carried.

Mayor Moloney then recognized Bob Chriscinske, who asked Council if there were any objections to moving his closed session agenda item into open session. There being no objections, he then told Council that they had had a very successful meeting the previous night regarding the water & sewer agreement with Ralls County. He then proceeded to show Council the territories involved and explained the 20-year agreement that was decided upon by both concerned parties.

ADJOURNMENT

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

Motion carried.

**BILL #01-763
ORDINANCE 4161
EMERGENCY READING**

Motion was made by Council Member Dexheimer to give an Emergency reading and have the clerk call the roll for adoption, seconded by Council Member Wilson. Motion carried.

**AN ORDINANCE AMENDING THE PAYROLL ORDINANCE OF THE CITY OF HANNIBAL
PERTAINING TO THE DIRECTOR OF PUBLIC WORKS**

Yes – Council Member Danforth, Wilson, Mayor Moloney, Dexheimer, Behymer, Morgan and Higdon-7
No – 0
Motion carried.

ADJOURNMENT

Motion was made by Council Member Dexheimer, seconded by Council Member Behymer to adjourn and move into Closed Session in accordance with RSMo 610-021(3) admitting City Council Members, Mayor Moloney, City Clerk, City Attorney and City Manager and have the clerk call the roll. Seconded by Council Member Wilson.

Yes – Council Member Danforth, Wilson, Mayor Moloney, Dexheimer, Behymer, Morgan and Higdon-7
No-0
Motion carried.