

OFFICIAL COUNCIL PROCEEDINGS

October 2, 2001
7:00 p.m.

ROLL CALL

Present: Council Members Morgan, Janes, Wilson, Mayor Hark, Council Members Dexheimer and Behymer - 6

Absent: Council Member Higdon -1

CALL TO ORDER

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

Motion was made by Council Member Morgan to admit Council Member Dexheimer, who arrived after the roll call. Mayor Hark seconded the motion.

Motion carried.

Motion was made by Council Member Morgan to excuse Council Member Higdon. Mayor Hark seconded the motion.

Motion carried.

INVOCATION

Council Member Behymer gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES Regular Meeting – September 18, 2001

Council Member Dexheimer made a motion to approve the minutes from the regular council meeting of September 18, 2001. Council Member Behymer seconded the motion.

Motion carried.

APPROVAL OF PAYROLLS AND CLAIMS September 2001 - Second Half

Council Member Behymer made a motion to approve the payroll and claims for the second half of September 2001. Council Member Wilson seconded the motion.

Motion carried.

GASOLINE TAX

The City Clerk reported \$ \$63,315.24 received from the Department of Revenue for the gas tax, vehicle fee increases, and vehicle sales, February 2001. (Compared to last year's \$ 68,640.85)

DENNIS VENVERTLOH – CITIZEN Re: Request for Waiver of Tax Penalties

Mr. Venvertloh appeared before Council requesting that penalties that were charged to him for late payment of taxes be waived. He stated that since the tax bills went to the addresses of the properties which were unoccupied and not to his home address, he did not realize that there were taxes due. Motion was made by Council Member Behymer to waive and refund the \$179.96 penalty for Mr. Venvertloh. Council Member Dexheimer seconded the motion.

Roll Call

Yes: Council Members Janes, Dexheimer and Behymer - 3

No: Council Members Morgan, Wilson and Mayor Hark – 3

Motion failed.

GARY SHIMUN – CITY MANAGER Re: Appointments to Board of Adjustment

Mr. Shimun recommended the following people for consideration to fill expired or vacant seats on the Board of Adjustment:

John M. Hark – Remainder of a five-year term to expire May 2004

Neil Derrick – Five-year term to expire May 2006

MARY BETH BAUDENDISTEL – CITY CLERK Re: Amendment No. 3 to Self Insurance Plan (Resolution 929 to follow)

The City Clerk explained this amendment to Council which was for additional coverage of procedures and services to be covered by the City's Insurance Plan. The changes were because of Federal Guidelines.

Re: Request to Set Public Hearing for Tax Rate

The City Clerk also recommended to Council that a public hearing be scheduled for the purpose of setting the 2002 tax rate. Council Member Dexheimer made a motion to set a public hearing for this purpose to be held at 6:50 P.M., October 16, 2001. Council Member Behymer seconded the motion.

Motion carried.

CHIEF DOWNS – HANNIBAL POLICE DEPARTMENT
Re: Changes to Employee Guide to Success

Chief Downs informed Council that several questions had been brought up concerning the changes he was requesting in the Employee Guide to Success. He suggested that it would probably be better to table this agenda item until some of the questions could be addressed. Council Member Dexheimer made a motion to table. Motion was seconded by Council Member Behymer.

Motion carried.

Re: Request to Change Departments Authorized Strength

Chief Downs addressed Council regarding his request to increase the authorized strength of the Hannibal Police Department from 36 sworn officers to 40 sworn officers in order to allow him to recruit and hire replacements and plan for next year's budget. He also discussed the fact that he had several officers who may be deployed for military service who would have to be replaced. Council Member Morgan stated that this subject was addressed in the Employee Guide to Success and perhaps it would be better to table this until we reviewed the other issues at a later date. Motion to table was made by Council Member Morgan. Council Member Dexheimer seconded the motion.

Motion carried.

Re: Police Cadet Program
(Bill No. 01-798 to follow)

Chief Downs explained the proposed new program and answered questions concerning the cost, insurance coverage and duties of the cadets. He asked Council's approval for this program in the bill to follow.

BILL LANKFORD – DIRECTOR OF PARKS & RECREATION
Re: Bids for Copier

Due to a family emergency, Mr. Lankford could not be present at the meeting. The City Clerk acting on his behalf recommended that the bid for the copier be awarded to Golden Ruler for the Gestetner 3222 in the amount of \$4,750.00. Motion was made by Council Member Wilson to approve this bid award. Council Member Behymer seconded the motion.

Motion carried.

BOB CURTIS – CITY ATTORNEY
Re: Changes in City Codes
(Bill No.s 01-793, 01-794, 01-795, 01-796 & 01-797 to follow)

City Attorney Bob Curtis gave Council a brief description of each of these bills that was amending the City Charter concerning possession of drug paraphernalia, disorderly conduct, DUI, possession of marijuana and public indecency. These changes would be presented for Council's approval in the bill's to follow. Council Member Morgan brought it to Council's attention that the copy they received of Bill No. 01-793 contained reference to Section 17-128 which should be Section 17-127. She asked that this be amended when the bill came up later. The City Clerk agreed to amend this error.

RESOLUTION
929

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AMENDMENT NO. 3
(DEALING WITH WELLNESS CARE, CONTRACEPTIVE COVERAGE AND
CORRECTED HIPAA WORDING FOR CERTAIN SURGICAL PROCEDURES) TO
THE CITY OF HANNIBAL'S GROUP MEDICAL PLAN**

Council Member Wilson made a motion to have the Clerk read and call the roll for adoption. Council Member Dexheimer seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Morgan, Janes, Wilson, Mayor Hark, Council Members Dexheimer and Behymer – 6

No: -0-

Absent: Council Member Higdon - 1

Mayor Hark declared Resolution 929 duly approved and adopted on this date.

BILL NO. 01-792

**AN ORDINANCE APPROVING AND ACCEPTING THE PLAT OF ANGEL CARE
INCORPORATED, TUTERA ACQUIRERES INCORPORATED BEING PART OF THE
NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24,
TOWNSHIP 57 NORTH, RANGE 5 WEST OF THE FIFTH PRINCIPAL MERIDIAN,
CITY OF HANNIBAL, MARION COUNTY, MISSOURI**

Motion was made by Council Member Wilson to have the Clerk give this Bill a Second and Final reading and call the roll for adoption. Council Member Janes seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Morgan, Janes, Wilson, Mayor Hark, Council Members Dexheimer and Behymer – 6

No: -0-

Absent: Council Member Higdon - 1

SECOND AND FINAL READING

Mayor Hark declared Bill No. 01-792 duly approved and adopted on this date.

**BILL NO. 01-793
(as amended)**

**AN ORDINANCE AMENDING ARTICLE IV, VEHICLE OPERATION GENERALLY
OF CHAPTER 17 OF THE HANNIBAL CITY CODE
(RE: DUI)**

Motion was made by Council Member Morgan to have the Clerk give this bill a first reading as amended. Council Member Wilson seconded the motion.

Motion carried.

FIRST READING

BILL NO. 01-794

**AN ORDINANCE AMENDING ARTICLE V, OFFENSES AGAINST PUBLIC PEACE,
ORDER AND SAFETY OF CHAPTER 16 OF THE HANNIBAL CITY CODE
(Drug Paraphernalia)**

Motion was made by Council Member Janes to have the Clerk give this bill a first reading. Council Member Wilson seconded the motion.

Motion carried.

FIRST READING

BILL NO. 01-795

**AN ORDINANCE AMENDING ARTICLE V, OFFENSES AGAINST PUBLIC PEACE,
ORDER AND SAFETY OF CHAPTER 16 OF THE HANNIBAL CITY CODE
(Disorderly Conduct)**

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

Motion carried.

FIRST READING

BILL NO. 01-796

**AN ORDINANCE AMENDING ARTICLE V, OFFENSES AGAINST PUBLIC PEACE,
ORDER AND SAFETY OF CHAPTER 16 OF THE HANNIBAL CITY CODE
(marijuana)**

Motion was made by Council Member Wilson to have the Clerk give this bill a first reading. Mayor Hark seconded the motion.

Motion carried.

FIRST READING

BILL NO. 01-797

**AN ORDINANCE AMENDING ARTICLE IV, OFFENSES AGAINST PUBLIC MORALS
OF CHAPTER 16 OF THE HANNIBAL CITY CODE
(Public indecency)**

Motion was made by Council Member Morgan to have the Clerk give this bill a first reading. Council Member Janes seconded the motion.

Motion carried.

FIRST READING

BILL NO. 01-798

**AN ORDINANCE AMENDING ARTICLE I, IN GENERAL, OF CHAPTER 23 OF THE
HANNIBAL CITY CODE
(Police Cadets)**

Motion was made by Council Member Wilson to have the Clerk give this bill a first reading. Council Member Janes seconded the motion.

Motion carried.

FIRST READING

CLOSED SESSION
In accordance with RSMo 610-021 (3)

Motion was made by Mayor Hark to enter into Closed Session in accordance with RSMo 610-021 (3) admitting himself, the Council Members, City Clerk, City Attorney and City Manager. Council Member Dexheimer seconded the motion.

Roll Call

Yes: Council Members Morgan, Janes, Wilson, Mayor Hark, Council Members Dexheimer and Behymer – 6

No: -0-

Absent: Council Member Higdon

Motion carried.

Motion to end Closed Session and go back into open session to adjourn was made by Council Member Wilson. Motion was seconded by Mayor Hark.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Morgan to adjourn. Mayor Hark seconded the motion.

Motion carried.