

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, April 2, 2002
7:00 P.M.**

ROLL CALL

Present: Council Members Higdon, Behymer, Dexheimer, Mayor Hark, Council Members Wilson, Janes and Morgan - 7

Absent: -0-

CALL TO ORDER

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

INVOCATION

Council Member Higdon gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES Regular Meeting – March 19, 2002

Council Member Behymer made motion to approve the minutes of the meeting of March 19, 2002, as amended. Council Member Morgan seconded motion.

Motion carried.

APPROVAL OF PAYROLLS AND CLAIMS Second Half of March 2002

Council Member Behymer made motion to approve the payroll and claims for the second half of March, 2002. Council Member Wilson seconded motion.

Motion carried.

GAS TAX REPORT

The Clerk reported we received \$56,796.37 from the Missouri Department of Revenue for the Gas and Motor Vehicle Sales Tax and Fees for the month of March 2002. This compared to last year's figure of \$56,469.93 for the same period.

GARY SHIMUN – CITY MANAGER

Re: Nominations for Boards

Mr. Shimun offered the following people for Council's consideration to fill expired or otherwise vacant seats on the following boards, committees or commissions.

Landmarks & Monuments Board

Fred Cruse – One-Year Term to Expire December 2002

Tree Board

Susan Boe – The Remainder of a Three-Year Term to Expire September 2002

No action was taken at this time. These will be presented for approval at the next regular Council meeting.

Re: Agreement with Hannibal Community Foundation

(Resolution 958 to Follow)

Mr. Shimun addressed Council regarding the proposed Memorandum of Understanding and Agreement (MUA) between the City and Hannibal Community Foundation and requested Council's approval of the following Resolution 958.

Re: Agreement with Burlington Northern & Santa Fe Railway Co.

(Resolution 960 to Follow)

Mr. Shimun asked City Engineer Jim Burns the status of the agreement between the City with Burlington Northern and Santa Fe Railway Co. Mr. Burns said that it appears the City could not meet the insurance requirements of the agreement. With this in mind, Mr. Shimun asked that this agenda item be tabled until a later date.

Re: Approval of Job Descriptions

City Manager Gary Shimun requested Council's approval of the job descriptions for city employees. Council Member Morgan had a question regarding the Parks and Recreation Superintendent that was addressed at this time. Her question concerned the reporting relationship of the superintendent and whether his direct supervisor was the Director of the Department of Public Works or the City Manager. After a brief discussion it was determined that the City Manager is to be the direct supervisor of the P&R Superintendent. A motion was made by Mayor Hark that Council approve the job descriptions as amended. Council Member Higdon seconded the motion.

Motion carried.

Re: City Manager's Report

The City Manager's report was included in the agenda packet. No action was needed for this agenda item.

**CITIZEN NEIL GREEN
Re: Demolition of 817 Vermont**

Since Mr. Green was not present at the Council Meeting, a motion was made by Council Member Dexheimer, seconded by Council Member Behymer that this agenda item be tabled until a later date.

Motion carried.

**ROBERT CURTIS – CITY ATTORNEY
Re: Amendment of Construction of Sewers Outside of City Limits
(Bill No. 02-813 to Follow)**

Mr. Curtis appeared before Council and presented the amendment for the construction of sewers outside of the City limits. He asked Council's approval for Bill No. 02-813 to follow.

**BILL LANKFORD – SUPT. OF PARKS & RECREATION DEPARTMENT
Re: POP's Club Lease**

Mr. Bill Lankford, P&R Superintendent appeared before Council requesting approval for and extended five year lease of the old annex by the armory on Collier Street. After a brief discussion a motion was made by Council Member Dexheimer to approve the extended lease. Council Member Wilson seconded motion.

Motion carried.

**JIM BURNS – CITY ENGINEER
Re: Bid Recommendations for Third Street Improvements**

Mr. Burns presented his bid recommendations for the Third Street Improvements. He recommended the bid to be awarded to the low bidder, George Lee Construction, in the bid amount of \$136,191.00. Motion was made by Mayor Hark to approve this bid recommendation. Council Member Wilson seconded this motion.

Motion carried.

Re: Johnson Street Bridge Project
(Resolution 959 to Follow)

The second item that Mr. Burns presented to Council was an agreement with Chester Bross Construction for the Johnson Street Bridge Project. The construction company wishes to start this project right away, due to a change in their construction plans. Mr. Burns wishes to have Council's approval of the Resolution 959 that will follow at a later time during this meeting.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Deletion of Vacation Buy Back Benefit
(Bill No. 02-818 to Follow)

In the absence of City Clerk Baudendistel, Deputy Clerk Phyllis Nelson presented this agenda item to Council and asked for their approval of the following Bill No. 02-818, the deletion of the vacation buy back benefit as stated in chapter III of the Employee Guide to Success.

JERRY KELLEY – CITY PLANNER
Re: Recommendation from Planning & Zoning for Five-Year Capitol
Improvements Program

City Planner Kelly presented this agenda item to Council and asked them to accept the current Five-Year Capitol Improvement Plan and place it on file. Council Member Wilson made motion to accept this plan and place it on file. Mayor Hark seconded the motion.

Motion carried.

Re: Re-Zoning a Tract of Land in McMasters Subdivision From E - Commercial to
B – Multi-Family Dwelling
(Bill No. 02-819 to Follow)

Mr. Kelley asked Council's approval for a first reading Bill No. 02-819 to follow. This Bill concerns re-zoning of 4 ½ acres, which is Dean Doyle's property at the top of Jaycee Drive, adjacent to the Jaycee Hall, from E – Commercial to B – Multi-Family.

RESOLUTION
958

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY AND
HANNIBAL COMMUNITY FOUNDATION FOR THE PURPOSE OF SERVING
AS CHARITABLE FISCAL SPONSOR FOR PROJECT IMPACT PROJECTS

Council Member Higdon made a motion to have the Clerk read Resolution 958 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Behymer, Dexheimer, Mayor Hark Council Members Wilson, Janes and Morgan - 7

No: -0-

Mayor Hark declared Resolution 958 duly approved and adopted on this date.

**RESOLUTION
959**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH CHESTER BROSS CONSTRUCTION COMPANY FOR
THE JOHNSON STREET BRIDGE PROJECT**

Council Member Behymer made a motion to have the Clerk read Resolution 959 and call the roll for adoption. Council Member Wilson seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Behymer, Dexheimer, Mayor Hark Council Members Wilson, Janes and Morgan - 7

No: -0-

Mayor Hark declared Resolution 959 duly approved and adopted on this date.

**RESOLUTION
960**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT ON BEHALF OF THE CITY OF HANNIBAL WITH THE
BURLINGTON NORTHERN & SANTA FE RAILWAY COMPANY FOR A
PIPELINE LICENSE**

Since there were still some questions concerning insurance requirements of the related agreement, Council Member Morgan made a motion that Resolution 960 be tabled. Mayor Hark seconded the motion.

Motion carried.

BILL NO. 02-818

AN ORDINANCE AMENDING CHAPTER III OF THE EMPLOYEE GUIDE TO SUCCESS IN REGARDS TO VACATION BENEFITS

FIRST READING

Council Member Higdon made motion to have the Clerk give this bill a first reading. Council Member Wilson seconded motion.

Motion carried.

BILL NO. 02-819

AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS TO RECLASSIFY A TRACT OF LAND LYING IN A PART OF LOT 15 OF MCMASTERS SUBDIVISION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION THIRTY, TOWNSHIP 57 NORTH, RANGE 4 WEST IN THE CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM E – COMMERCIAL TO B – MULTI-FAMILY DWELLING

FIRST READING

Council Member Higdon made motion to have the Clerk give this bill a first reading. Council Member Behymer seconded motion.

Motion carried.

BILL NO. 02-813

(As Amended)

AN ORDINANCE AMENDING ARTICLE III, SEWERS AND SEWAGE DISPOSAL OF CHAPTER 25 OF THE HANNIBAL CITY CODE
(Construction of sewers outside the City Limits)

SECOND AND FINAL READING

Council Member Janes made a motion to have the Clerk give this bill a second and final reading and call the roll for adoption. Council Member Higdon seconded the motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Behymer, Dexheimer, Mayor Hark, Council Members Wilson, Janes and Morgan - 7

No: -0-

Mayor Hark declared Bill No. 02-813, as amended, duly approved and adopted on this date.

**CLOSED SESSION
(In Accordance with RSMo-610-021 (2))**

Mayor Hark entertained a motion to go into closed session in accordance with RSMo 610-021 sub paragraph (2) admitting the Mayor, Council Members, City Manager, City Attorney, Deputy Clerk, City Inspector and Dana Ruhl. Council Member Dexheimer made motion for this. Council Member Behymer seconded the motion.

Roll Call

Yes: Council Members Higdon, Behymer, Dexheimer, Mayor Hark, Council Members Wilson, Janes and Morgan - 7

No: -0-

Motion carried.

Council Member Dexheimer made a motion to go back into open session. Council Member Wilson seconded the motion.

Motion carried.

ADJOURNMENT

Mayor Hark made a motion to adjourn. Council Member Janes seconded the motion.

Motion carried.