

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, August 6, 2002
7:00 P.M.**

ROLL CALL

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

Absent: Morgan - 1

Also Present: City Manager and City Clerk

CALL TO ORDER

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

INVOCATION

Council Member Behymer gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES Regular Meeting July 16, 2002

Council Member Wilson made motion to approve the minutes for the July 16, 2002 meeting. Council Member Janes seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half of July, 2002

Council Member Wilson made motion to approve the Payroll and Claims for the second half of July, 2002. Mayor Hark seconded motion.

Motion carried.

GAS TAX REPORT

The Clerk reported that the City received \$59,961.81 from the Dept. of Revenue for the Gas, & Motor Vehicle Fees in July, 2002. This compared to last year's figure of \$65,626.56 for the same period.

GARY SHIMUN – CITY MANAGER

Re: Approval of Nominations for Several Boards & Commissions

Mr. Shimun asked Council's approval of the following nominations for various boards and commissions presented at last Council Meeting as follows:

Hannibal Employee Benefit Trust Board

John M. Hayes – A three year term to expire May 2005

Mark Twain Home Board

Jerold W. Lee – Remainder of a seven-year term to expire November 2005

Historic Development District Commission

Vikkie Lewis – A five year term to expire May 2007

Hannibal Parks and Recreation Board

James O'Donnell – A three year term to expire July 2005

Kristy K. Trevathan – A three year term to expire July 2005

Doug Green – A three year term to expire July 2005

Board of Public Works

Mike Gingsberg – A four year term to expire July 2006

Council Member Wilson made motion to approve the City Manager's nominations.
Council Member Janes seconded motion.

Motion carried.

Re: Revision of Previous MoDot Amendment to the Municipal Airport Runway Improvements Grant Agreement (Resolution 981 to follow)

Mr. Shimun explained all that was being requested in this Resolution were two items that needed to be changed from the original Resolution that had previously been approved.

1. The figure for our match for the airport should be \$200,000.00 instead of \$180,00.00
2. The acreage encumbered should be 40 acres instead of 36.

He asked Council to approve these changes by approving the Resolution to follow.

BILL LANKFORD – SUPT. PARKS & RECREATION DEPARTMENT
Re: Mo. Dept of Natural Resources Land and Water Conservation Fund Grant
(Resolution 979 to follow)

Mr. Lankford presented to Council an agreement with the Missouri Department of Natural Resources Land and Water Conservation Fund for a Grant in the amount of (Up to) \$150,00.00 for the skate park that they are planning to build.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Adjustments to Parks & Recreation Department Budget
(Bill No. 02-833 to follow)

The City Clerk explained this Bill was for adjustments needed to include Parks and Recreation Pool Renovation Project figures that had been inadvertently left out of this year's budget. The omission of these figures was the result of the failure to carry funds and the expenditure of these funds over from last year's budget.

JOHN WEALER – BUILDING INSPECTOR
Re: National Park Service Biennial Report for the Federal Building
(Resolution 980 to follow)

Mr. Wealer explained the Biennial Report that was required by the National Park Service for the Federal Building. He explained the information had been compiled and the form filled out. He asked Council's approval of allowing the Mayor to sign this letter by approving the Resolution to follow.

Re: 806 Center

Mr. Wealer explained that demolition had previously been delayed on this piece of property since the owner had plans of selling this property to someone who wished to rehab the building.

Mr. Flavell, who lived on adjacent property relayed to Council his desire to see this building demolished since it was an eyesore and a danger to the neighborhood. He had witnessed signs that the building had been entered and people had been burning candles inside.

Mr. Wealer stated that there had been no sign of any improvement to the house and the property was still listed in the past owner's name.

Council Member Behymer made motion to have Mr. Wealer continue with plans for demolition of this residence. Council Member Hull seconded motion.

Motion carried.

Re: 214 Ziegler

Mr. Wealer explained that the scheduled demolition of this house had been delayed to give a prospective buyer the chance to come up with a satisfactory solution to provide sewer service to the residence. After discussion of the findings on this solution, Council Member Hull made a motion to have Mr. Wealer proceed with demolition of this house. Council Member Behymer seconded motion.

Roll Call

Yes: Mayor Hark, Council Members Dexheimer, Behymer, and Hull.- 4

No: Council Member Wilson and Janes – 2

Motion carried.

Re: 113-113A North Maple

Mr. Wealer stated that this house had also previously been scheduled for demolition, but a citizen had expressed interest in buying the property and rehabilitating it. Unfortunately, the person could not obtain a clear title to this property so he had now abandoned this project. Mr. Wealer asked Council's approval for re-bidding this piece of property for demolition. Council Member Behymer made motion to obtain bids for demolition of 113-113A North Maple. Council Member Wilson seconded motion.

Motion carried.

CHIEF DOWNS – HANNIBAL POLICE CHIEF

Re: Repairs to Elevator

Chief Downs informed Council that back in April, the State inspected the elevator and found several problems with the equipment. He presented a bid from Barnard Elevator of Quincy for \$11,100.00 that would correct those deficiencies and also make the elevator more ADA accessible. He also stated that this was the only company in this area that offered service on this type of equipment. Council Member Wilson made motion to approve the Chief's recommendation for bids on the repairs of this equipment. Council Member Dexheimer seconded motion.

Motion carried.

**MARY BETH BAUDENDISTEL – SECRETARY FOR HANNIBAL
LANDMARKS & MONUMENT BOARD**

Speaking on behalf of the Landmarks & Monument Board, the City Clerk stated that although these items had been discussed with Council in the past, the Board was asking for formal action to be taken by Council regarding the following issues:

Re: Approval of Board's Service for Private Citizens

Council Member Wilson made motion to approve the recommendations made by the Landmarks & Monument Board. Council Member Janes seconded motion. During discussion, it was unclear whether the motion was for both items in question. Council Member Wilson then amended his motion to approve the recommendation of service for private citizens. Council Member Janes stated he would second this motion.

Motion carried.

Re: Approval of List of properties to be under Board

Council Member Dexheimer expressed concern that the certain properties on the list were also under the jurisdiction of the Mark Twain Historic District Board. He stated that there could be conflicts by having these properties under two boards. President of the Landmarks & Monument Board, Mr. Jim Mitchell, said that the Board would be an advisory board only. He also assured Council that they would respond if they were requested, but had no intentions of just going in and offering advice when not asked. Several Council Members questioned as to whether or not a list was needed. After a short discussion, Council Member Dexheimer made a motion to approve the properties as presented on the list from the Landmarks & Monument Board. Council Member Behymer seconded motion. Motion carried.

JIM BURNS – CITY ENGINEER

Re: Mark Twain Area Restoration Project Phase #4

Mr. Burns presented a change order for Mark Twain Area Restoration Project Phase #4 to Council for approval. This project is for the lights on Broadway from 5th Street to Maple. Mr. Burns requested this change order approval to increase the contract amount by \$27,688.00, due to an overrun in the conduit installation. He stated that this figure is within the contingency amount that is in the project, since the original bid came in below the cost estimate. Two-thirds of this amount would be paid for with the grant and the other one-third would be local money. Extra cable is needed for this project, partly because of concrete footings that were found during installation of four lights around the Marion County Courthouse, making relocation of these lights necessary. The other reason was the conduit that was found in front of the Telephone Building, making it necessary to devise a different way to get the lights to this area. After a brief discussion, motion was made by Jim Behymer to approve the change order. Motion was seconded by Council Member Wilson.

Motion carried.

Re: Approval of Street Superintendent Position Description

Mr. Burns presented to Council for approval, a revised position description for the Street Superintendent. This revised position description removed the Emergency Management, Traffic Committee, Safety Committee and Insurance responsibilities from the previous

position description. After some discussion, motion was made by Council Member Dexheimer to approve the Street Superintendent position description, omitting the requirement for a CDL license. Motion was seconded by Council Member Wilson.

Motion carried.

Re: Approval of Assistant to City Engineer Job Description

Mr. Burns presented to Council for approval the job description for the Assistant to the City Engineer, reducing this to a grade-12 position from a grade-18 position. The responsibilities that were omitted from the Street Superintendent position, Traffic Committee, Safety Committee and Insurance, were placed in this job description, with the exception of the Emergency Management responsibilities. These duties would be in addition to project inspections and duties of that sort. Following a lengthy discussion, motion was made by Council Member Behymer, seconded by Council Member Wilson to approve the job description of the Assistant to City Engineer.

Motion carried.

Re: Authorization to Hire Assistant to City Engineer

Mr. Burns then asked for the authorization from Council to hire an Assistant to the City Engineer. Motion was made by Council Member Wilson to approve this request. Council Member Behymer seconded the motion.

Motion carried.

JERRY KELLEY – CITY PLANNER

Re: Changes to Chapter 29 of the City Code in Regards to “Definitions” and “Variances and Exceptions”

(Bill No. 02-831 and 02-834 to follow)

Mr. Kelley presented two amendments to the subdivision ordinances from the Planning and Zoning Commission. Within the first ordinance, they are recommending a change to the definition of “subdivision”. And in the second, a change to the “Conditions” paragraph that requires when a plat comes before the Planning & Zoning Commission and is approved, that plat be recorded. In addition, that the recording be done by the staff of the Engineering Department. He requested that these bills be given a first reading later in the meeting.

RESOLUTION 979

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND GRANT

Council Member Dexheimer made motion to have the Clerk read this resolution and call

the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 979 duly approved and adopted on this date.

RESOLUTION 980

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE BIENNIAL
REPORT FOR THE NATIONAL PARK SERVICE IN REGARDS TO THE
FEDERAL BUILDING**

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

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 980 duly approved and adopted on this date.

RESOLUTION 981

(as amended)

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO SIGN A MISSOURI HIGHWAYS AND TRANSPORTATION
COMISSION AMENDMENT TO A STATE BLOCK GRANT AGREEMENT IN
REGARDS TO THE HANNIBAL MUNICIPAL AIRPORT RUNWAY
IMPROVEMENT PROJECT**

Motion was made by Council Member Dexheimer to have the Clerk read this resolution, as amended, and call the roll for adoption. Motion seconded by Council Member Wilson.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 981, as amended, duly approved and adopted on this date.

BILL NO. 02-831

**AN ORDINANCE AMENDING ARTICLE I, IN GENERAL OF CHAPTER 29 OF
THE HANNIBAL CITY CODE**
(Definition of Subdivision)

FIRST READING

Council Member Janes made motion to give this bill a first reading. Motion seconded by Council Member Behymer.

Motion carried.

BILL NO. 02-833

**AN ORDINANCE AMENDING APPROPRIATIONS TO THE VARIOUS
DEPARTMENTS, BOARDS, COMMISSION, ETC FOR THE FISCAL YEAR
ENDING 6/30/03**
(Parks & Recreation)

FIRST READING

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

Motion carried.

BILL NO. 02-834

**AN ORDINANCE AMENDING ARTICLE I, IN GENERAL OF CHAPTER 29 OF
THE HANNIBAL CITY CODE**
(Variances and exceptions)

FIRST READING

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

Motion carried.

Council Member Wilson made motion to go into Closed Session at this time in accordance with RSMo 610-021(3), RSMo 610-021(2) and RSMo 610-021(1), admitting Mayor Hark, Council Members, City Clerk, City Manager and City Attorney. Motion was seconded by Council Member Dexheimer.

Motion carried.

CLOSED SESSIONS (5)

3 In accordance with RSMo 610-021(3) Personnel
1 In accordance with RSMo 610-021(2) Real Estate
1 In accordance with RSMo 610-021(1) Litigation

Action Taken in Closed Session

Council Member Wilson made motion to be able to dedicate revolving loan funds for the purchase of property. Motion was seconded by Council Member Dexheimer.

Motion carried.

Council Member Wilson made motion to return to open session and adjourn. Motion was seconded by Council Member Dexheimer.

Motion carried.

ADJOURNMENT

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

Motion carried.