

**OFFICIAL PROCEEDINGS  
PUBLIC HEARING**

**December 17, 2002  
6:50 P.M.**

**CALL TO ORDER**

At the appointed hour, Mayor Hark called the Public Hearing to Order.

**JERRY KELLEY – CITY PLANNER  
Re: Abel Oil Company – Petition to Annex**

Mr. Kelley gave a brief outline of the petition to annex and a description of the property to be annexed. He introduced Mr. Anderson, owner of the property, who was present at the meeting.

**PUBLIC COMMENTS**

Mayor Hark asked if anyone wished to speak in favor of this annexation.  
No one came forward.

Mayor Hark then asked if anyone present wished to speak against this annexation.  
No one wished to speak against the annexation.

**ADJOURNMENT**

There being no one present who wished to speak for or against, Mayor Hark adjourned the Public Hearing.

**OFFICIAL COUNCIL PROCEEDINGS**

**December 17, 2002  
7:00 P.M.**

**ROLL CALL**

**Present:** Council Members Hull, Morgan, Wilson, Mayor Hark and Council Member Dexheimer (arrived late - 5)

**Absent:** Council Members Behymer and Janes - 2

**Also Present:** City Manager, City Attorney and City Clerk – 2

**CALL TO ORDER**

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

**INVOCATION**

Council Member Morgan gave the invocation.

**PLEDGE OF ALLEGIANCE**

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

At this point, Council Member Wilson made the motion to excuse Council Members Behymer, Dexheimer and Janes. Mayor Hark seconded motion.

Motion carried.

**APPROVAL OF MINUTES  
Regular Meeting 12-03-02**

Council Member Morgan made motion to approve the minutes from the last meeting. Council Member Hull seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS  
First Half of December 2002**

Council Member Wilson made motion to approve the payroll and claims for the first half of December 2002. Council Member Hull seconded motion.

Motion carried.

**GARY SHIMUN – CITY MANAGER**  
**Re: Approval of Board Appointment From Last Meeting**

Mr. Shimun carried forward from the last meeting one nomination for the Hannibal Development District Commission and asked Council to approve this nomination.

**Hannibal Development District Commission**

Candace Klemann

Remainder of a five-year term to expire May 2006

Council Member Wilson made motion to approve this appointment. Mayor Hark seconded motion.

Motion carried.

**Re: Lease Purchase Agreement with Commerce Bank in regards to Pool  
Renovation Project**  
(Resolution 1008 to follow)

Mr. Shimun asked that this resolution be tabled when we get to this portion of the agenda.

**JIM BURNS – CITY ENGINEER**  
**Re: Change Order No. 4 – Airport Reconstruction Project**

Mr. Burns presented a change order for the airport reconstruction project, which would be for an additional \$125,231.79. This should be the final change order on this project.

Council Member Morgan made motion to approve Change Order No. 4. Council Member Hull seconded motion.

Motion carried.

**Re: Change Order No. 1 – 2002 Milling and Asphalt Overlay**

Mr. Burns requested approval of Change Order No. 1 which would be an additional amount of \$10,796.04. He stated that this should also be a final change order on this project.

Council Member Wilson made motion to approve change order No. 1. Council Member Morgan seconded motion.

Motion carried.

**CHIEF RUNYON – HANNIBAL POLICE DEPARTMENT**  
**Re: Reclassification of Existing Job to Captain**

*Note: During Chief Runyon's presentation, Council Member Dexheimer entered the meeting.*

Mayor Hark made motion to admit Council Member Dexheimer to the meeting. Council Member Morgan seconded motion.

Motion carried.

Chief Runyon presented to Council his proposal to institute a Captain's rank in the Hannibal Police Department. This change would allow modification of the department's organizational structure to reduce the number of divisions within the department from the current number of four to three in order to streamline the department for better efficiency and to adequately compensate division heads for their added responsibilities.

Council Member Wilson made motion to approve Chief Runyon's request. Mayor Hark seconded motion.

Motion carried.

#### **RESOLUTION 1004**

**A RESOLUTION ESTABLISHING RULES AND REGULATIONS REGARDING THE USE OF EXCESSIVE FORCE DURING NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS, INCLUDING PHYSICALLY BARRING ENTRANCE TO A FACILITY OR LOCATION WHICH IS THE SUBJECT OF SUCH DEMONSTRATION, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE CITY OF HANNIBAL, STATE OF MISSOURI**

Council Member Wilson made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Hull seconded motion.

Motion carried.

#### **Roll Call**

**Yes:** Council Members Hull, Morgan, Wilson, Mayor Hark and Dexheimer – 5

**No:** -0-

Mayor Hark declared Resolution 1004 duly approved and adopted on this date.

#### **RESOLUTION 1005**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL AND HOUSEWRIGHT LUMBER COMPANY, DBA: HOUSEWRIGHT CONTRACTING FOR CONSTRUCTION OF THE HANNIBAL MARK TWAIN AREA RESTORATION PROJECT –**

**PHASE #3, PART 1 OR 2, MODOT PROJECT NUMBER STP-2800(308) AS PER THE ATTACHED CONTRACT**

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 Members Hull, Morgan, Wilson, Mayor Hark and Dexheimer – 5

**No:** -0-

Mayor Hark declared Resolution 1005 duly approved and adopted on this date.

**RESOLUTION 1006**

**A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF OBLIGATIONS ON BEHALF OF THE CITY OF HANNIBAL, MISSOURI FOR THE PURPOSE OF REFUNDING THE OUTSTANDING MATURITIES OF THE CITY'S CERTIFICATES OF PARTICIPATION (CITY OF HANNIBAL; MISSOURI, LESSEE), SERIES 1994**

Council Member Wilson made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Morgan seconded motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Wilson, Mayor Hark and Dexheimer – 5

**No:** -0-

Mayor Hark declared Resolution 1006 duly approved and adopted on this date.

**RESOLUTION 1007**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT, ON BEHALF OF THE BOARD OF PUBLIC WORKS, WITH MECO ENGINEERING SERVICES RELATED TO THE INSTALLATION OF A 12-INCH WATER LINE ON HEAD LANE**

Council Member Wilson made motion to have the Clerk read this resolution and call the roll for adoption. Mayor Hark seconded motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Wilson, Mayor Hark and Dexheimer – 5

**No:** -0-

Mayor Hark declared Resolution 1007 duly approved and adopted on this date.

**RESOLUTION 1008**

*A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT DETERMINING THE CITY'S INTENT TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES IN REGARDS TO THE POOL RENOVATION PROJECT, AS PER THE ATTACHED LEASE PURCHASE AGREEMENT WITH COMMERCE BANK*

Council Member Morgan made motion to table Resolution 1008. Council Member Wilson seconded motion.

Motion carried.

**BILL NO. 02-847**

**AN ORDINANCE PROVIDING FOR A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 8, 2002**

**FIRST READING**

Council Member Morgan made motion to have the Clerk give this Bill a First Reading. Council Member Wilson seconded motion.

Motion carried.

**BILL NO. 02-849**

*AN ORDINANCE ADDING THE FOLLOWING PARAGRAPH IN CHAPTER 2. ADMINISTRATION, ARTICLE II, OFFICER AND EMPLOYEES, DIV. 3. CITY ATTORNEY, TO READ AS FOLLOWS: CITY ATTORNEY POWERS AND DUTIES*

Bill died for lack of motion to read.

**BILL NO. 02-850**

*AN ORDINANCE AMENDING CHAPTER III OF THE EMPLOYEE GUIDE TO  
SUCCESS IN REGARDS TO WORKER'S COMPENSATION*

Bill died for lack of motion to read.

**BILL NO. 02-851**

*AN ORDINANCE AMENDING CHAPTER 12, FIRE PREVENTION AND  
PROTECTION, ARTICLE II, FIRE DEPARTMENT, DIVISION 1, GENERALLY OF THE  
CITY OF HANNIBAL CODE OF ORDINANCES IN REGARDS TO WORKER'S  
COMPENSATION*

Bill died for lack of motion to read.

**BILL NO. 02-852**

*AN ORDINANCE AMENDING CHAPTER 23, POLICE, ARTICLE II, POLICE  
DEPARTMENT, DIVISION 1, GENERALLY OF THE CITY OF HANNIBAL CODE OF  
ORDINANCES IN REGARDS TO WORKER'S COMPENSATION*

Bill died for lack of motion to read.

**CLOSED SESSION**

**In accordance with RSMo 610-021 (2)**

Motion was made by Council Member Dexheimer to go into Closed Session in accordance with RSMo 610-021(2) admitting the Council, the Mayor, City Attorney, City Manager, City Clerk, City Engineer and George Walley. Council Member Wilson seconded motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Wilson, Mayor Hark and  
Dexheimer – 5

**No:** -0-

Action taken during closed session:

Council Member Wilson made motion to approve the purchase of the Manchester Tank property for the amount of \$1,400,000.00 and authorize the Mayor to sign contract on behalf of the City. Council Member Dexheimer seconded motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Hull, Morgan, Wilson, Mayor Hark and Dexheimer – 5

**No:** -0-

**OPEN SESSION**

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

Motion carried.

Council Member Wilson made motion to have a special call Council Meeting on Tuesday, December 24, 2002 for the purpose of finalization of the lease agreement to purchase the Manchester Tank Building. Motion failed for lack of second.

Council Member Dexheimer made motion to have a Special Call Meeting at 5:00 P.M. on Monday, December 23, 2002 for the purpose of finalization of the lease agreement to purchase the Manchester Tank Building. Mayor Hark seconded motion.

Motion carried.

**ADJOURNMENT**

Council Member Dexheimer made motion to adjourn. Council Member Wilson seconded motion.

Motion carried.

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Mary Beth Baudendistel, City Clerk

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Roy G. Hark, Mayor

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