

# **OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, February 5, 2002**

**7:00 P.M.**

**Council Chambers**

## **ROLL CALL**

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

**Absent:** Council Member Behymer-1

## **CALL TO ORDER**

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

## **INVOCATION**

Council Member Dexheimer gave the invocation.

## **PLEDGE OF ALLEGIANCE**

Council Member Higdon led the Pledge of Allegiance to the flag.

Council Member Dexheimer made motion to excuse Council Member Behymer from the proceedings. Council Member Wilson seconded motion. Motion carried.

Mayor Hark then introduced Boy Scout Troop 100 who were guests in the audience and asked them to stand and be recognized.

## **APPROVAL OF MINUTES**

Motion was made by Council Member Higdon to approve the minutes from the Regular Council Meeting of 01-22-02. Council Member Wilson seconded motion. Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half of January, 2002**

Motion was made by Council Member Wilson to approve the Payroll and Claims for the Second Half of January 2002. Mayor Hark seconded motion. Motion carried.

**GAS TAX REPORT**

The Clerk reported we received \$59,913.40 from the Mo. Department of Revenue for the Gas and Motor Vehicle Sales and Fees, compared to last years figure of \$59,660.74 for the same period.

**MAYOR HARK**

**Re: Proclamation – Earthquake Awareness Week**

Mayor Hark read a proclamation declaring February 1<sup>st</sup> thru February 8<sup>th</sup>, 2002 as Earthquake Awareness Week.

**CITY MANAGER - GARY SHIMUN**

**Re: Nominations for Various Boards and Commissions**

Mr. Shimun presented a list of names to Council that he wished to be considered at the next meeting for available positions on the Landmarks and Monument Board, the Mark Twain Home Board, the Police & Fire Retirement Board of Trustees and the Affirmative Action Committee.

Council Member Wilson stated that he would not recommend Terryll Dempsey for the Landmarks and Monument Board, or any other City Board because he felt Mr. Dempsey was negative toward this committee and was too negative towards the citizens of this town. Council Member Wilson further stated that he did not like the stance Mr. Dempsey has taken on certain issues. He said that Mr. Dempsey seems to in this for personal gain and therefore Council Member Wilson would not approve his nomination. Council Member Dexheimer also stated that he would not approve Mr. Dempsey's nomination.

**Re: City Manager's Report**

Mr. Shimun presented to Council his report for activities done in the month of January and the status of ongoing projects for their review.

**Re: Job Descriptions**

Mr. Shimun also presented Council with Job Descriptions for approval. These Job Descriptions were for Department Heads, City Manager, City Clerk and City Clerk's office employees. Council wished to wait to take action until they had more time to review them.

**CHARLES ANTON**

**Re: Preservation of Plats**

Mr. Anton addressed Council asking that Council take steps to preserve the old plats and maps that were taken out of storage and now displayed in the hallway. Council Member Dexheimer made a motion to purchase the required glass to protect these documents and take the expense out of the Executive Department's budget. Council Member Wilson seconded motion. Motion carried.

**BOB CHRISCINSKE – SUPT. OF BPW**

**Re: Update of BPW Activities**

Mr. Chriscinske announced to Council that a Public Hearing had already been set for 02-13-02 at 3:00 P.M. in Council Chambers for the purpose of raising wastewater treatment rates. The need for this increase is because of deferred maintenance and the need for improvements to our infrastructure. Mr. Chriscinske said that, at this time, they have no choice but to increase rates to cover this needed work. He stated there would be a 40% increase in rates which would mean approximately \$4.00 increase for the average household per year.

Mr. Chriscinske said that even though there were increasing pressures from homeowners and potential homeowners to get things solved, there is still no changes or decisions made regarding the Ralls County Water District agreement. He could not estimate when this would be solved.

Mr. Chriscinske also updated Council on two recent power outages that had effected areas of town and explained the reasons behind the failures.

**JERRY KELLEY – CITY PLANNER**  
**Re: Set Public Hearing for Amendments to Cell Tower Ordinance**

Mr. Kelley asked Council's approval on setting a public hearing for the purpose of amending the present cell tower ordinance. Council Member Higdon made motion to set the public hearing for Tuesday, February 19, 2002 at 6:50 P.M. in Council Chambers. Council Member Janes seconded motion. Motion carried.

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

Mr. Burns presented bids received for the purchase of a new street sweeper. He recommended that the bid be awarded to Armor Equipment Company who was the lowest bidder with a bid amount of \$99,989.00. Council Member Dexheimer made motion to award the bid to Armor Equipment Company. Council Member Wilson seconded motion. Motion carried.

**BOB CURTIS – CITY ATTORNEY**  
**Re: Supervised Protection Services**  
**(Resolution 947 to follow)**

Mr. Curtis explained the details of the Supervised Probation Services. He also introduced Ms. Bonnie Bryden Mansfield who represents the company that would be handling this program. It was made clear that there would be no cost to the City for this service, and the fees needed to perform these duties would be given directly to the defendant by the Judge. Mr. Curtis asked Council's consideration in passing the Resolution later in the meeting.

**Re: Amendments to Ordinances Regarding Possession of Marijuana, Drug  
Paraphernalia and DWI**  
**(Bill No.s 02-808, 02-809 and 02-810 to follow)**

Mr. Curtis explained to Council the amendments to the three ordinances and answered questions concerning these changes.

**RESOLUTION 947**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING  
THE MUNICIPAL COURT TO SENTENCE DEFENDANTS TO SUPERVISED  
PROBATION**

Council Member Dexheimer made motion to have the Clerk read Resolution 947 and call the roll for adoption. Council Member Wilson seconded motion. Motion carried.

**Roll Call**

**Yes:** Mayor Hark, Council Members Dexheimer, Higdon, Morgan, Janes and Wilson - 6.

**No:** -0-

Mayor Hark declared Resolution 947 duly approved and adopted on this date.

**BILL NO. 02-808**

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

**FIRST READING**

Council Member Wilson made motion to have the Clerk give Bill No. 02-808 a first reading. Council Member Janes seconded motion. Motion carried.

**BILL NO. 02-809  
(as amended)**

**AN ORDINANCE AMENDING ARTICLE IV, VEHICLE OPERATION  
GENERALLY OF CHAPTER 17 OF THE HANNIBAL CITY CODE  
(Driving while intoxicated)**

**FIRST READING**

Council Member Wilson made motion to have the Clerk give Bill No. 02-809 a First Reading. Council Member Janes seconded motion. Motion carried.

**BILL NO. 02-810**

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

**FIRST READING**

Council Member Janes made motion to have the Clerk give Bill No. 02-810 first reading. Mayor Hark seconded motion. Motion carried.

Mayor Hark entertained motion to go into Closed Session in accordance with RSMO 610-021 (1) and (3) admitting himself, the Council, City Manager, City Clerk and the City Attorney. Council Member Dexheimer made this motion. Motion seconded by Council Member Higdon. Motion carried.

**Roll Call**

**Yes:** Mayor Hark, Council Members Dexheimer, Higdon, Morgan, Janes and Wilson - 6

**No:** -0-

**CLOSED SESSION**

**In accordance with RSMO 610-021 (1) and (3)**

Motion was made by Council Member Dexheimer to go back into open session. Mayor Hark seconded motion.

**Roll Call**

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

**No:** -0-

Motion carried.

**ADJOURNMENT**

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