

**OFFICIAL PROCEEDINGS
PUBLIC HEARING**

**July 16, 2002
6:45 P.M.**

CALL TO ORDER

At the appointed hour, Mayor Hark called the meeting to order.

JERRY KELLEY

**Re: Request by Beth Haven to Rezone 5.9 Acres From District A to District B at
2501 Pleasant**

Mr. Kelley gave an explanation that the request to rezone this property from A Single-Family dwellings to B Multiple-Family Dwellings was for the plan by Beth Haven Nursing Home to build assisted living units.

PUBLIC COMMENTS

Mr. Paul Ewert of Beth Haven Nursing Home presented renderings of what the units would look like and what kind of residents would be residing in these units.

ADJOURNMENT

There being no one else present wishing to speak, Mayor Hark adjourned the Public Hearing.

OFFICIAL COUNCIL PROCEEDINGS

**July 16, 2002
7:00 P.M.**

ROLL CALL

Present: Council Members Janes, Wilson, Mayor Hark and council Member Hull - 4

Absent: Council Members Morgan, Dexheimer and Behymer. - 3

CALL TO ORDER

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

INVOCATION

Mayor Hark gave the invocation.

PLEDGE OF ALLEGIANCE

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

At this point, Council Member Wilson made a motion to excuse Council Members Morgan, Dexheimer and Behymer from the proceedings. Council Member Janes seconded motion.

Motion carried.

**APPROVAL OF MINUTES
Regular Meeting July 2, 2002**

Council Member Janes made the motion to approve the minutes. Mayor Hark seconded the motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of July, 2002**

Mayor Hark made the motion to approve the Payroll and Claims. Council Member Wilson seconded motion.

Motion carried.

SALES TAX REPORT

The Clerk reported that we received \$215,596.85 from the Missouri Department of Revenue for the 1-cent sales tax distribution in July 2002. This compares to last year's figure of \$180,924.30.

We received \$107,791.52 from the Missouri Department of Revenue for the ½ cent capitol improvement sales tax in July 2002. This compares to last year's figure of \$90,432.51.

We received \$107,788.85 from the Missouri Department of Revenue for the ½ cent parks & recreation tax in July 2002. This compares to last year's figure of \$90,614.36.

At this time, Mayor Hark introduced Mr. Enos Johnson and Ms. Michelle Cox who were on the last Council agenda, but were unable to attend the meeting. He asked Council's permission to add them to this agenda. Council Member Wilson made motion to add them to the agenda. Mayor Hark seconded motion. Motion carried.

**ENOS JOHNSON & MICHELLE COX - citizens
Re: Permission to Use City Owned Property for Boy Scout Fundraiser**

Ms. Cox explained that their previous plans to have the Carnival on the Wal-Mart parking lot had not worked out and she asked Council's permission to use city property at the South end of Main Street for this purpose. She stated that the carnival would run from August 23 through August 25, 2002. and they would also require that the street be blocked for a short period of time on August 22, to enable the semi's to unload the equipment needed. Council Member Wilson made motion to approve request. Council Member Janes seconded motion.

Motion carried.

Clerk's Note: I contacted Ms. Cox on 7-28-02 and gave her the proper route for the heavy trucks to take so as not to have them travel on the Bear Creek Bridge.

DAWN RANABARGAR - CITIZEN
Re: Neighborhood Watch

Ms. Ranabargar addressed several problems in her neighborhood involving youth walking in the streets impeding traffic, thefts, vandalism and unnecessary noise. She and several of her neighbors gave examples of the ongoing problems they have had to encounter. They also cited several examples indicating that they were not getting the help from law enforcement that they felt they needed. She asked Council's help in this matter, and several options were discussed on the floor. Council agreed that this was a problem and asked Chief Downs to look into the matter, check on several incidents that had been presented and try to arrange additional patrol for the area.

JOANNE M. SCHRADER - CITIZEN
Re: Wilson P. Lear

Ms. Schrader, along with her son, gave a brief review of this former resident who was the inventor of the Lear Jet, along with many other important products. Ms. Schrader would like to see more recognition for this man and perhaps a monument of some kind in order to honor this former citizen. Her son, who had done extensive research on Mr. Lear's history suggested that perhaps his name could be given to the new Municipal Airport Facility, or a display of his accomplishments be made. Mayor Hark commended Mr. Schrader for his intense work on this subject and stated that his idea to include recognition for Mr. Lear to coincide with the completion of the Airport Project would be kept in mind.

STEVE WHELAN - CITIZEN
Re: 4th Street Pavement

Mr. Whelan presented his concerns to Council in regards to the 4th Street Project that contained numerous cracks in the pavement which were caused by improper cutting procedures, even before it was opened to the public. He had talked to our City Engineer concerning this problem, and his (Mr. Burns) intention was to withhold \$1,200.00 from the payment to this contractor and use the money to fund other projects. Mr. Whelan did not feel that this is right, since the taxpayers paid for quality work and the cracks should be taken out and repaired properly.

Mayor Hark commented that he and Council Member Hull were also at the site today, and were aware that there were cracks in the concrete.

Mr. Wilson questioned Mr. Whelan regarding what problems might arise in the future if these cracks were not repaired. Mr. Crane, from the audience, commented that "the Highway Department would not accept this even if it was given to them – they don't accept inferior workmanship". Council Member Hull stated, "Neither should we".

Mr. Wilson questioned Mr. Whelan regarding what the proper procedure would be to correct this problem. Mr. Whelan gave a brief description of the process. Council Member Wilson asked that either Mayor Hark or the City Manager have a talk with the City Engineer about this problem. Mayor Hark stated that he thought the Council Members present were in agreement that we should not accept anything that is not up to standards. He further stated that since it was taxpayer's money, the City had to have quality work for that reason. Mr. Whelan asked Council to keep him updated on the outcome of this item.

JIM BURNS – CITY ENGINEER

Re: Agreement for maintenance of operation of the Landfill
(Resolution 974 to follow)

On behalf of Mr. Burns who could not attend the meeting, Mr. Wealer explained to Council that this resolution was for the approval of an extension of the existing contract with George Lee Construction, Inc. for maintenance and mowing of the Landfill Site. When questioned, Mr. Wealer stated that the past work had been satisfactory and he had no complaints.

Re: Agreement for Water Sampling Services
(Resolution 975 to follow)

Mr. Wealer also presented to Council a contract with Hannibal Testing Laboratories, Inc. who was the only bidder for the Sampling Services that were required by law. He asked Council to approve the contract for these services by approving the resolution to follow.

Re: Traffic Committee Recommendations

Mr. Shimun gave the following recommendations made by the Traffic Committee during their June 26, 2002 meeting:

1. Intersection of Hamilton, Catherine, and Price: Install stop signs on all four (4) corners, making this intersection a 4-way stop.
2. Intersection of Warren Barrett Drive & South Maple: Make this intersection a 4-way stop for 30 days, and then remove the stop signs on Warren Barrett Drive, making Warren Barrett drive a thru street.
3. Intersection of Lyon Street & South Grand Avenue: Remove stop signs on South Grand Avenue.
4. Install "No Parking" signs on Munger Lane, both sides of the street, from Highway 36 thru Rt. W; and on Stardust, both sides of the street, from Highway 61 thru Rosewood.

Their being no action by Council, these requests are declared effective on this date.

BOB CHRISCINSKE – SUPT. OF BOARD OF PUBLIC WORKS

Re: Articles of Agreement for Voluntary Annexation

(Resolution 976 to follow)

Mr. Chriscinske explained to Council the purpose of the “Articles of Agreement for Voluntary Annexation” which was allowing people who are just outside of the city limits to obtain water and sewer service, by agreeing to voluntarily annex into the City, if ever their property becomes contiguous with the City Limits due to other annexations.

GARY SHIMUN – CITY MANAGER

Re: Nominations for Several Boards & Commissions

Mr. Shimun made the following nominations for several Boards and Commissions and asked Council to consider these nominations for approval at the next regular meeting.

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

Re: Settlement with DNR for Airport Violations

(Resolution 977 to follow)

Mr. Shimun reported to Council about the work he had done in regards to obtaining a settlement agreement amount with the Missouri Department of Natural Resources for past soil violations at the Municipal Airport. The DNR has agreed that the penalty will be in the amount of \$6,303.00. He asked Council’s approval for paying this penalty by approving the resolution to follow.

Re: Flood Program Project Cost

Mr. Shimun informed Council that he had received a final amount due on the Flood Wall Project. As per figures from the Corp of Engineers, this amount is \$85,257.87. When asked by Council if this would be the final payment due, Mr. Shimun assured them that these figures represented the only balance left due from the city.

Council Member Janes made motion to approve making this payment. Council Member Wilson seconded motion.

Motion carried.

**Re: Change Order No. 1 for Airport Runway Reconstruction
(Resolution 978 to follow)**

Mr. Shimun explained the need for a change order in the amount of an additional \$88,888.80 dollars on the project. The change order was necessary because of additional excavation needed since poor soil composition was found under the existing runway. He also asked that this resolution also include the request for a 3-day extension on the project from the construction company. He requested Council's approval for this change order by approving the resolution, as amended, to follow.

JOHN WEALER – CITY BUILDING INSPECTOR

Re: Sale of City Owned Property

Turn Street
2426-2429 Market St.

Mr. Wealer presented two requests from citizens to purchase city owned property.

Richard Pruett asked to purchase a piece of property located on Turn Street for the amount of \$100.00. Council Member Wilson made motion to sell this property to Mr. Pruett for \$100.00. Mayor Hark seconded motion.

Motion carried.

Steve Foxall offered a price of \$100.00 for property located at 2426-2428 Market Street. Council Member Wilson made a motion to approve selling this property to Mr. Foxall for \$100.00. Council Member Janes seconded motion.

Motion carried.

JERRY KELLEY
Re: Diamond Boulevard

Mr. Kelley gave Council an update on the status of property acquisition for the Diamond Boulevard Project. Although he had originally thought we might have to divide the project into two (2) phases, now this would not be necessary because of progress made this week on the legal work. Plans are for construction to begin on this project in the fall.

RESOLUTION
974

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH GEORGE LEE, JR. CONSTRUCTION, INC. FOR OPERATION OF THE LANDFILL IRRIGATION SYSTEM AND MOWING, IN THE AMOUNT OF \$12,900

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 Janes, Wilson, Mayor Hark and Council Member Hull. – 4

No: -0-

Mayor Hark declared this resolution duly approved and adopted on this date.

RESOLUTION
975

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH HANNIBAL TESTING LABS FOR WATER SAMPLING SERVICES IN THE AMOUNT OF \$750.00

Council Member Janes 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 Janes, Wilson, Mayor Hark and Council Member Hull – 4

No: -0-

Mayor Hark declared this resolution duly approved and adopted on this date.

**RESOLUTION
976**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN “ARTICLES OF AGREEMENT” FOR VOLUNTARY ANNEXATION AND PROVISION OF MUNICIPAL UTILITIES’ EXECUTED BY MR. & MRS. FLOYD E. MARTIN, JR. OF 10729 NEW LONDON GRAVEL ROAD

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 Janes, Wilson, Mayor Hark and Council Member Hull. – 4

No: -0-

Mayor Hark declared this resolution duly approved and adopted on this date.

**RESOLUTION
977**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT IN REGARDS TO SETTLEMENT TERMS THAT WOULD RESOLVE SEVERAL ENVIRONMENTAL VIOLATIONS AT HANNIBAL CITY AIRPORT BY MDNR NORTHEAST REGIONAL OFFICE

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

Motion carried.

Roll Call

Yes: Council Members Janes, Wilson, Mayor Hark and Council Member Hull. – 4

No: -0-

Mayor Hark declared this resolution duly approved and adopted on this date.

**RESOLUTION
978
(as amended)**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NO. 1 ON BEHALF OF THE CITY OF HANNIBAL FOR ADDITIONAL EXCAVATING WORK AND AN ADDITIONAL 3 DAYS WORK TIME ON THE HANNIBAL MUNICIPAL AIRPORT RUNWAY IN THE AMOUNT OF \$88,888.80

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

Motion carried.

Roll Call

Yes: Council Members Janes, Wilson, Mayor Hark and Council Member Hull. – 4

No: -0-

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

ADJOURNMENT

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

Motion carried

