

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, June 4, 2002
7:00 P.M.**

ROLL CALL

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

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 Behymer led the Pledge of Allegiance to the Flag.

(Recess)

In order to hold the Public Hearing, Council Member Janes made a motion to have a short recess to discuss the Budget. Council Member Behymer seconded motion.

Motion carried.

PUBLIC HEARING

Mayor Hark called the Public Hearing to order.

GARY CHIMUN – CITY MANAGER
Re: Proposed City and BPW 2002-2003 Budgets

PUBLIC COMMENTS

Maurice Saligheh questioned the need to put the large amount of money into the Hannibal Municipal Airport. Mr. Shimun gave a brief description of the grant and the actual cost to the city.

Andrea Scott, Treasurer and Cindy Nason, Executive Director of the Northeast Missouri Humane Shelter thanked Council for including them in their budget as they had in the past.

Richard Dauma, a city employee, spoke in favor of giving raises pointing out the fact that the cost of Health Insurance with the City was being increased by 30%.

ADJOURNMENT

There being no further comments from the public, Mayor Hark adjourned the Public Hearing.

CITY COUNCIL (Out of recess)

After adjourning the Public Hearing, Mayor Hark ended the recess and resumed the regular meeting.

APPROVAL OF MINUTES Regular Meeting – May 21, 2002

Council Member Wilson made motion to approve the minutes for the Regular Meeting of May 21, 2002. Council Member Janes seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS Second Half of May 2002.

Council Member Wilson made motion to approve the Payroll and Claims for the Second Half of May 2002. Council Member Janes seconded motion.

Motion carried.

GAS TAX REPORT

The Clerk reported we received \$57,008.44 from the Mo. Dept. of Revenue for the Gas Vehicle, and License Fees in May 2002. This compared to \$58,435.49 received last year for the same period.

GINA HOOPER
Re: Sewer Issue

Ms. Hooper addressed the Board regarding problems she has on her property that is contaminated with raw sewage seepage from property owners above her. After hearing discussions from Mr. Bob Chriscinske-Board of Public Works, Jim Burns-City Engineer and John Wealer-Building Inspector, Council asked Mr. Wealer and Mr. Burns to visit the property the first thing in the morning. If they see any problems, they are to tag the offending properties and give notice that their water will be turned off in 24 hours.

DEBRA HUDSON
Re: City Charge for Mowing Grass

Ms. Hudson complained that the City had charged her a special tax bill for mowing grass on her property when, in fact, Ms. Hudson had a receipt showing that she had paid a private mower herself to have the grass mowed. She was asking that the special assessment be removed from her property. Donna Skinner stated that she had re-checked after she sent the notice and found that the weeds were cut, but she actually had no idea who cut the weeds. She presumed since the city mower had billed for this service that he had mowed the weeds himself.

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City Engineer Jim Burns stated that if these charges were billed in error, there is a process in place that the City Clerk and the City Engineer could remove the special tax, but he had not seen proof from Ms. Hudson that she had paid for the grass to be mowed until tonight.

Mayor Hark made a motion that the special tax stands and we deny her request to have it removed. Council Member Morgan seconded motion.

Roll Call

Yes: Mayor Hark, Council Members Hull, Morgan and Janes – 4

No: Council Members Wilson, Dexheimer and Behymer – 3

Motion carried.

MAYOR HARK
Re: Approval of Nomination for Terry Hull to Fire Board

Council Member Morgan made motion to approve Mayor Hark's nomination of Terry Hull to the Fire Board. Council Member Behymer seconded motion.

Motion carried.

CITY MANAGER – GARY SHIMUN

Re: Reappointment of Board Members for the Self-Insurance Fund

Mr. Shimun presented to Council his recommendations for board members of the Self-Insurance Fund. He asked Council to consider these at the next meeting for expiring seats on the board.

Charles Paxton to serve another 3-year term ending May, 2005

Kathy Davis to serve another 3-year term ending May, 2005

Re: Bid Award for Hannibal Municipal Airport Improvements

Mr. Shimun presented a contract with Accurate Land Title Company to Council. This contract was for purchase of property owned by Malcolm Gentry in the amount of \$48,434.00 for the purpose of acquiring land in conjunction with the State Grant for the Municipal Airport Project. He asked Council's approval in purchasing this land from Mr. Gentry.

Motion was made by Council Member Wilson to approve the purchase of this property. Council Member Behymer seconded motion.

Motion carried.

Re: Contract for Airport Improvements

(Resolution 968 to follow)

Mr. Shimun explained that this Resolution was for the Mayor to sign an agreement with the contractor for work to be done on the Airport Project. He asked that Council approve this contract on the contingency that it will be based upon whatever funds that we get from the State for this project.

It was also noted that Resolution 968 was included in the packet, but was not listed on the agenda in error. A motion to add this Resolution to the agenda would be made later in the meeting, when this Resolution is addressed.

MARY BETH BAUDENDISTEL – CITY CLERK

Re: Amending Ordinance Regarding Contractor's Licensing

(Bill No. 02-824 to follow)

Mary Beth explained that this ordinance would eliminate the ability of contractor's to pay their licenses on a pro-rated base twice a year. This would mean that the contractor's license would be for a full year in the amount of \$100.00.

Re: Dissolving of P&F Cola Fund

(Bill No. 02-828 to follow)

Mary Beth explained that his ordinance would eliminate everything regarding the P&F Cola Fund from the ordinances. The reason for doing this is upon the advice of the attorney that was hired in order to try to dissolve this failing fund.

JERRY KELLEY – CITY PLANNER

Re: Diamond Blvd

(Bill No. 02-823 to follow)

Mr. Kelley asked Council to continue this agenda item until June 18, due to the fact that the City is still waiting to acquire another piece of property and they should have the title work done by that time.

JIM BURNS – CITY ENGINEER

Re: Utility Agreement with Williams Pipeline Company for the Hannibal Municipal Airport

(Resolution 969 to follow)

Mr. Burns explained that this agreement is for moving some gas lines that is necessary for this project. We will be reimbursed by the State for the cost of relocating these lines.

Re: Street Department Bid Recommendations for

Asphalt

Cold Patch

Gasoline & Premiere Diesel

Misc. Street Surface Supplies

Street Department Uniform Bids

Uniform Rental & Mats & Towel Service

Council Member Dexheimer made a motion to approve the bids for the above items as per the recommendation of the City Engineer and the Street Superintendent. Council Member Behymer seconded motion. Motion carried.

Asphalt	Diamond Construction Company
Cold Patch	Chester Bross Construction Company
Gasoline & Premier Diesel	Big River Oil Company
MC800 & MC30 Road Oil	Missouri Petroleum
Snow Removal Salt	Hutchison Salt
Concrete	Bleigh Construction
Liquid Calcium Chloride	Scotwood Industries
Aggregates	Central Stone Company
Flowable Fill	Mark Twain Redi Mix
Uniform Rental Service	White Star Laundry Company

JOHN WEALER
Re: Sale of City Owned Property

Mr. Wealer presented to Council three pieces of City owned property and asked their approval in selling.

3101 Market Street	\$472.00 plus recording fees
1303-5 Collier	\$100.00 plus survey & recording fees
1002-1032 Bacon	\$200.00 per lot plus recording fees

Motion was made by Council Member Dexheimer to approve Mr. Wealer's recommendation to sell these properties at the rate stated. Mayor Hark seconded motion.

Motion carried.

Re: Bid recommendations – Sidewalk Replacement Program

Mr. Wealer recommended that the bid for this project be awarded to Mike's General Construction. Motion was made by Council Member Wilson to approve awarding this bid as per Mr. Wealer's recommendation. Council Member Morgan seconded motion.

Motion carried.

Re: House Demolitions

Mr. Wealer presented a list of several properties that were presented for demolition bids. He recommended that one piece of property (624 North 7th) be tabled due to the fact that the owner had spoken to him and would be working on the property on or before the 18th of June. He recommended that Mike Roberts be awarded the bid for 214 Ziegler, as he was the lowest bidder on this piece of property and the other properties (806 Center, 1017 Pleasant, 3906 New London Gravel Rd, 2004-06 Chestnut, 1307 Vermont, 1022 Vine, 1002-04 Ely and 508 Walnut) be awarded to Bricker Construction who was the lowest bidder for these pieces of property.

Council Member Dexheimer made a motion to approve the recommendations of the Building Inspector. Council Member Wilson seconded motion.

Motion carried.

BOB CURTIS – CITY ATTORNEY
Re: Amended Contract for Purchase of Atkin's Property
(Resolution 967 to follow)

Mr. Curtis explained that the contract for purchase that was previously approved had some minor word changes in regards to business hours and therefore had to be rewritten. The changes did not have any great effect on the original contract.

CHIEF DOWNS – POLICE CHIEF
Re: Changes to Employee Guide to Success
(Bill No. 02-825, 826 & 827 to follow)

Chief Downs explained to Council the changes he had requested in the Employee Guide to Success. The City Clerk stated that she had only one problem and asked that the last sentence in the added paragraph in Bill No. 02-827 be deleted from the Bill. Council agreed and would make the recommendation for the amended Bill at time of approval.

RESOLUTION 967

**A RESOLUTION APPROVING THE PURCHASE OF REAL ESTAE BY THE
CITY OF HANNIBAL FOR THE PURPOSE TO ACQUIRE RIGHT-OF-WAY
FOR THE EXTENSION OF DIAMOND BOULEVARD**

Motion was made by Council Member Behymer 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 Wilson, Mayor Hark, Council Members
Dexheimer, Behymer, Hull, Morgan and Janes - 7

No: -0-

Mayor Hark declared Resolution 967 duly approved and adopted on this date.

Council Member Morgan made motion to add Resolution 968 to the agenda. Motion was seconded by Council Member Janes.

Motion carried.

RESOLUTION 968

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING
THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY AND
EMERY SAPP AND SON, INC. FOR IMPROVEMENTS TO THE HANNIBAL
MUNICIPAL AIRPORT**

Council Member Morgan made a motion to have the Clerk read this Resolution and call the roll for adoption contingent upon receipt of the funding. Mayor Hark seconded motion.

Motion carried.

Roll Call

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

No: -0-

Motion carried.

Mayor Hark declared Resolution 968 duly approved and adopted on this date.

RESOLUTION 969

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A
UTILITY AGREEMENT WITH WILLIAMS PIPELINE COMPANY AND
AUTHORIZING THE MAYOR TO SIGN THE SAME**

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

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 969 duly approved and adopted on this date.

BILL NO. 02-824

**AN ORDINANCE AMENDING ARTICLE II, (BUSINESS LICENSES) SECTION
15-27 (FEES), SUB-PARAGRAPH (9) OF THE CITY OF HANNIBAL
MUNICIPAL CODE IN REGARDS TO CONTRACTOR'S LICENSE FEES**

FIRST READING

Council Member Behymer made motion to have the Clerk give this Bill a first reading. Mayor Hark seconded motion.

Motion carried.

BILL NO. 02-825

AN ORDINANCE AMENDING THE EMPLOYEE GUIDE TO SUCCESS; THE PERSONNEL POLICIES FOR THE CITY OF HANNIBAL, IN REFERENCE TO TRANSFERS, DEMOTIONS AND PROMOTIONS

FIRST READING

Council Member Janes made motion to have the Clerk give this Bill a first reading.
Council Member Morgan seconded motion.

Roll Call

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

No: Council Member Dexheimer – 1

Motion carried.

BILL NO. 02-826

AN ORDINANCE AMENDING THE EMPLOYEE GUIDE TO SUCCESS: THE PERSONNEL POLICIES FOR THE CITY OF HANNIBAL, IN REFERENCE TO OVERTIME PAY

FIRST READING

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

Roll Call

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

No: Council Member Dexheimer – 1

Motion carried.

BILL NO. 02-827

AN ORDINANCE AMENDING THE EMPLOYEE GUIDE TO SUCCESS, THE PERSONNEL POLICIES FOR THE CITY OF HANNIBAL, IN REFERENCE TO WORK HOURS

FIRST READING

Council Member Behymer made motion to have the Clerk give this Bill a first reading, as amended. Council Member Morgan seconded motion.

Roll Call

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

No: Council Member Dexheimer – 1

Motion carried.

BILL NO. 02-828

AN ORDINANCE REPEALING SECTION 21-62 AND DISSOLVING THE COLA FUND OF THE POLICE AND FIREMANS RETIREMENT BOARD

FIRST READING

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

Motion carried.

BILL NO. 02-823

AN ORDINANCE APPROVING THE DIAMOND BOULEVARD PLAT, BEING PART OF LOT 4 IN MCMASTERS SUBDIVISION ALL LYING IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 57 NORTH, RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF HANNIBAL, COUNTY OF MARION, STATE OF MISSOURI

SECOND AND FINAL READING

Motion to table this Bill and bring it back on the June 18th Council Meeting was made by Council Member Dexheimer. Council Member Behymer seconded motion.

Motion carried.

CLOSED SESSIONS

Motion was made by Council Member Morgan to go into successive closed sessions in accordance with RSMo 61-021 (2 & 3) admitting the Council, Mayor Hark, City Attorney, City Manager, City Clerk, the Historic Landmarks & Monument Committee Members present and John Wealer. Mayor Hark seconded motion.

Roll Call

Yes: Council Member Wilson, Mayor Hark, Council Members
Dexheimer, Behymer, Hull, Morgan and Janes – 7

No: -0-

Motion carried.

ACTION TAKEN DURING CLOSED SESSION

Council Member Wilson made motion to have the City Attorney send Mr. Winters a notice terminating his concessionaire's lease on the Old Federal Building and also to have him send notice to the present occupants a notice to vacate. Mayor Hark seconded motion.

Roll Call

Yes: Council Member Wilson, Mayor Hark, Council Members
Dexheimer, Behymer, Hull, Morgan and Janes – 7

No: -0-

Motion carried.

(Clerk's note: I checked with Mr. Curtis on the afternoon of June 7, 2002 and he stated that this motion had been carried out and the parties had been notified.)

BACK TO OPEN SESSION

Council Member Morgan made motion to go back into open session. Council Member Janes seconded motion.

Motion carried.

ADJOURNMENT

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

Motion carried.