

# OFFICIAL COUNCIL PROCEEDINGS

Tuesday, March 5, 2002  
7:00 P.M.

## ROLL CALL

**Present:** Council Members Dexheimer, Higdon, Wilson and Mayor Hark - 4

**Absent:** Council Members Morgan, Janes, and Behymer - 3

## CALL TO ORDER

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

## INVOCATION

Council Member Higdon gave the invocation.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF MINUTES Regular Council Proceedings 02-19-02

Council Member Wilson made motion to approve the minutes for the Regular Council Meeting on 02-19-02. Mayor Hark seconded motion.

Motion carried.

## APPROVAL OF PAYROLL AND CLAIMS Second Half of February, 2002

Council Member Dexheimer made motion to approve payroll and claims for the second half of February 2002. Council Member Higdon seconded motion.

Motion carried.

## GAS TAX REPORT

The Clerk reported we received \$54,506.85 from the Missouri Department of Revenue for the Motor Vehicle Sales, Fees and Gas tax distribution for the month of February. This compared to last year's figure of \$58,307.56 for the same period.

At this time, Council Member Wilson made motion to excuse Council Members Morgan, Behymer and Janes from the proceedings. Council Member Higdon seconded motion. Council Member Dexheimer stated that we need to be looking into why the 5<sup>th</sup> Ward Council Member cannot attend the meetings. He suggested that someone contact Mr. Behymer and talk to him about his absences. Mayor Hark stated that he would contact Mr. Behymer.

Motion to excuse carried.

**FRED T. HOAG**  
**Re: Water Service**

Mr. Hoag addressed Council concerning the need for the City to extend water services to his property that lies within the City Limits off of Route 168. He presented a sample of the water he now has which had a very foul odor due to high sulfur content. He also stated that the poor condition of his water had deteriorated many of his appliances and plumbing. He stated he was not asking for sewer service, he just wanted the City to run a water line to his property so he could hook on.

Council Member Dexheimer asked Mr. Chriscinske, who was in the audience, if he would get with Mr. Hoag and try to work out a solution to his problem. Mr. Chriscinske said he would investigate the situation.

**MICHELE L. DENT – HANNIBAL COURIER POST**  
**Re: Waiver of License Fee for Newspapers in Education Fundraiser**

Ms. Dent explained to Council that the newspaper was sponsoring a flea market type fundraiser to support the Newspapers in Education Program. She asked Council to waive the license fees required for this type of event in order to help the program. Council Member Dexheimer made motion to waive license fees. Council Member Wilson seconded motion.

Motion carried.

**JAMES E. MELLO, ATTY. – ARMSTRONG TEASDALE**  
**Re: Stardust-Munger-Diamond Redevelopment Area and**  
**Revenue Bonds**  
**(Bill Nos. 02-815, 816 & 817 to follow)**

Mr. Mello explained to Council that the reason for the increase in the original TIF amount was to combine the TIF obligation with the Transportation District portion of the financing. The new amount included the original TIF, the TTD, additional costs for property acquisition, funds for improvement to the area surrounding the project, additional funds that will be used to revise the intersection at Stardust and Hwy 61, and additional funds which could be used if the TIF funds did not come in as anticipated. Also included are costs of issuance of bonds, Underwriter Fees, etc. He stated that in combining the TIF and TTD, the city would realize a savings of approximately 1.3 million dollars.

At this time, Mr. Mello could not give an exact figure since he would not know the interest rate of issuance of bonds, but by the time of the next meeting, he would be able to provide us figures that would be approximately 99% accurate. The closing date for the bonds is scheduled for April 4<sup>th</sup>, 2002.

**GARY SHIMUN – CITY MANAGER**

**Re: Loan Agreement Between City of Hannibal, City of Hannibal Self Insurance Fund and the Parks & Recreation Department  
(Resolution 950 to follow)**

Mayor Hark announced that Council might wish to table the next item regarding the Loan Agreement between the City of Hannibal, Self Insurance Fund to the Parks & Recreation Department, since the Self Insurance Board has not had the opportunity to review the contract as of this date. After discussion, it was agreed that Council could approve the Resolution pending approval of the Self Insurance Board.

**JERRY KELLEY – CITY PLANNER**

**Re: Dean Doyle Property Re-Zoning Petition- Setting of Public Hearing**

Mr. Kelley asked that Council approve holding a Public Hearing at 6:55 P.M. on Tuesday, March 19, 2002 concerning this petition.

Council Member Wilson made motion to approve this date for holding the public hearing. Mayor Hark seconded motion.

Motion carried.

**JAMES DEXHEIMER – FIRE BOARD CHAIRMAN**

**Re: Bid Recommendation for Heart Monitor/Defibrillator**

Mr. Dexheimer made a motion, on behalf of the Fire Board, that bid be awarded to Zoll Medical in the amount of \$8,975.60 for this equipment. Council Member Wilson seconded motion.

Motion carried.

**Re: Mutual Aid Agreement with Hannibal Rural Fire Protection District  
(Resolution 951 to follow)**

Council Member Dexheimer, on behalf of the Fire Board, recommended that Council approve the attached Mutual Aid Agreement between the City of Hannibal and the Hannibal Rural Fire Protection District, by approving the Resolution to follow.

**Re: Contract with Dr. Brown  
(Resolution 952 to follow)**

Mr. Dexheimer also stated that the Fire Board and the City Attorney had approved the attached contact with Dr. Brown for the position of Medical Advisor. He asked Council to approve the Resolution to follow regarding this contract.

**ROBERT CURTIS – CITY ATTORNEY**

**Re: Tower Ordinance  
(Bill No. 02-812 to follow)**

Mr. Curtis presented the Tower Ordinance to the City Council and asked for their approval of Bill No. 02-812 to follow.

**Re: Construction of Sewers Outside the City Limits  
(Bill No. 02-813 to follow)**

Mr. Curtis presented Bill No. 02-813 regarding construction of sewers outside the city limits to Council for approval. Due to the fact that there were a few minor changes in wording requested by both Mr. Chriscinske and Mr. Burns, it was decided that they would give a first reading tonight and Mr. Curtis would get with both parties and make amendments needed before the second reading.

**Re: Amending Chapter 13 of the City Code Concerning Food Service Establishments  
(Bill No. 02-814 to follow)**

Mr. Curtis explained to Council that this Bill was needed to incorporate the needs of the Health Department into our City Code. He asked Council to approve this Bill to follow.

**RESOLUTION  
950**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE  
MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL ALONG  
WITH THE PARKS AND RECREATION DEPARTMENT FOR A PROMISSORY NOTE IN  
THE PRINCIPAL AMOUNT OF \$800,000.00 FOR THE PURPOSE OF THE HANNIBAL  
MUNICIPAL POOL RENOVATION PROJECT**

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

Motion carried.

**Roll Call**

**Yes:** Council Members Dexheimer, Higdon, Wilson and Mayor Hark – 4

**No:** -0-

Mayor Hark declared Resolution 950 duly approved and adopted on this date.

**RESOLUTION  
951**

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO SIGN  
AN AGREEMENT PROVIDING FOR THE PROVISION OF MUTUAL AID BETWEEN**

**THE CITY OF HANNIBAL AND THE HANNIBAL RURAL FIRE PROTECTION DISTRICT**

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 Dexheimer, Higdon, Wilson and Mayor Hark – 4

**No:** -0-

Mayor Hark declared Resolution 951 duly approved and adopted on this date.

**RESOLUTION  
952**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF HANNIBAL AND DR. BRYAN BROWN FOR HIS SERVICES IN THE CAPACITY OF ITS MEDICAL**

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 Dexheimer, Higdon, Wilson and Mayor Hark – 4

**No:** -0-

Mayor Hark declared Resolution 952 duly approved and adopted on this date.

**BILL NO. 02-812**

**AN ORDINANCE PROVIDING FOR THE REGULATION AND LOCATION OF TOWERS WITHIN THE CITY OF HANNIBAL, MISSOURI AND MATTERS RELATING THERETO, AMENDING CHAPTER 32 OF THE HANNIBAL CITY CODE**

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

Motion carried.

**FIRST READING**

**BILL NO. 02-813**

**AN ORDINANCE AMENDING ARTICLE III, SEWERS AND SEWAGE DISPOSAL OF  
CHAPTER 25 OF THE HANNIBAL CITY CODE**

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

Motion carried.

**FIRST READING**

**BILL NO. 02-814**

**AN ORDINANCE AMENDING CHAPTER 13 OF THE HANNIBAL CITY CODE.  
(In regards to Food Service Establishments)**

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

Motion carried.

**FIRST READING**

**BILL NO. 02-815**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A FIRST AMENDED  
AND RESTATED REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF  
HANNIBAL, MISSOURI, AND THE MARION COUNTY DEVELOPMENT, L.L.C.;  
PRESCRIBING THE FORM AND DETAILS OF SAID AGREEMENT; AND  
AUTHORIZING OTHER RELATED ACTIONS IN CONNECTION WITH THE  
REDEVELOPMENT OF CERTAIN PROPERTY WITHIN THE STARDUST-  
MUNGER-DIAMOND REDEVELOPMENT AREA**

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

Motion carried.

**FIRST READING**

**BILL NO. 02-816**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL  
COOPERATION AGREEMENT BETWEEN THE CITY OF HANNIBAL, MISSOURI, AND THE**

**STARDUST-MUNGER-DIAMOND TRANSPORTATION DEVELOPMENT DISTRICT; AND  
AUTHORIZING CERTAIN RELATED ACTIONS OF CITY OFFICIALS**

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

Motion carried.

**FIRST READING**

**BILL NO. 02-817**

**AN ORDINANCE OF THE CITY OF HANNIBAL, MISSOURI, APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF HANNIBAL, MISSOURI, OF TAX INCREMENT AND TRANSPORTATION DEVELOPMENT REFUNDING AND IMPROVEMENT REVENUE BONDS NOT TO EXCEED \$9,500,000; PLEDGING AND ASSIGNING REVENUES FOR THE PURPOSE OF PAYING THE PRINCIPAL AND INTEREST ON THE BONDS; AND APPROVING RELATED MATTERS**

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

Motion carried.

**FIRST READING**

Mayor Hark entertained a motion to go into Closed Session in accordance with RSMo 610-021(3) admitting himself, Council, City Manager, City Attorney, City Clerk, Fire Chief Hymers and Mr. Carter. Council Member Dexheimer made motion to go into closed session for this purpose. Mayor Hark seconded motion.

Motion carried.

**Roll Call**

**Yes:** Council Members Dexheimer, Higdon, Wilson and Mayor Hark – 4

**No:** -0-

**CLOSED SESSION**

**ACTION TAKEN IN CLOSED SESSION**

Council Member Dexheimer made a motion that the step increase for the fiscal year 00-01 be granted, retro-actively to Mr. Carter with the agreement that other grievances be considered settled at this time. (Mr. Carter agreed to this stipulation) Mayor Hark seconded motion.

**Roll Call**

**Yes:** Council Members Dexheimer, Higdon and Mayor Hark – 3

**No:** Council Member Wilson – 1

Motion carried.

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

Motion carried.

**ADJOURNMENT**

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

Motion carried.