

**PUBLIC HEARING
OFFICIAL PROCEEDINGS**

**March 19, 2002
6:55 P.M.**

CALL TO ORDER

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

JERRY KELLEY – CITY PLANNER

**Re: Re-zone From E-Commercial to B-Multi-Family of Property Located at the End of
Jaycee Drive and Contiguous to Jaycee Hall
(Requested by Dean Doyle)**

Jerry Kelley presented an overview of the request for re-zoning and what this would mean to the property owners.

PUBLIC COMMENTS

Mayor Hark asked if there was anyone present who wished to speak for the re-zoning request. There being no one present who wished to speak, he then asked if anyone present wished to speak against the re-zoning request. There was no one present who wished to speak.

ADJOURNMENT

There being no further comments or questions from the public, Mayor Hark adjourned the public hearing.

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, March 19, 2002
7:00 P.M.**

ROLL CALL

Present: Council Members Higdon, Morgan, Janes, Wilson, Mayor Hark and Council Member Behymer - 6

Absent: Council Member Dexheimer – 1

CALL TO ORDER

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

INVOCATION

Council Member Behymer gave the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES Regular Meeting – March 5, 2002

Council Member Wilson made motion to approve the minutes of the meeting of March 5, 2002. Council Member Behymer seconded motion.

Motion carried.

APPROVAL OF PAYROLLS AND CLAIMS First Half of March 2002

Council Member Wilson made motion to approve the payroll and claims for the first half of March, 2002. Council Member Behymer seconded motion.

Motion carried.

SALES TAX REPORT

The Clerk reported we received \$273,166.48 from the Department of Revenue for the General Fund 1 cent sales tax distribution for the month of February 2002. This compared to last year's figure of \$252,449.94.

The Clerk reported we received \$136,583.10 from the Department of Revenue for the Sales Tax Capitol Improvement ½ cent sales tax distribution for the month of February 2002. This compared to last year's figure of \$126,229.16.

The Clerk reported we received \$136,583.26 from the Department of Revenue for the Park Tax ½ cent sales tax distribution for the month of February 2002. This compared to last year's figure of \$126,363.80.

MOTION TO EXCUSE

At this point, Council Member Wilson made motion to excuse Council Member Dexheimer from the proceedings. Council Member Janes seconded motion.

Motion carried.

MAYOR HARK

Re: Proclamation – Great America Cleanup

Mayor Hark had the City Clerk read the proclamation declaring the week of April 2, 2002 as “Great America Clean-up week”.

JOSALENA HUGHSON

Re: Demolition of 1306 Broadway

Due to the fact that Ms. Hughson was not present, Council Member Wilson made motion to table this agenda item. Council Member Janes seconded motion.

Motion carried.

RAMONA WILLIAMS

Re: Waiver of Tax Penalties

Ms. Williams was not present at the meeting so this item was not discussed.

BOB CHRISCINSKE – SUPERINTENDENT OF BPW

Re: Agreement Between the City, BPW and Southeastern Data Cooperative, Inc.
(Resolution 957 to follow)

Mr. Chriscinske explained that this contract was for lease purchase of hardware, software and support services to replace the present billing software that has been in place since 1988 and needs to be updated. He asked for Council’s approval of Resolution 957 to follow.

HAROLD CRANE – TREE BOARD VICE PRESIDENT

Re: Main Street Tree Planting/Removal

Mr. Crane, on behalf of the Tree Board, requested that remaining funds in the Tree City USA line item be approved to be used for removal and planting of new trees in the Main Street area.

Council Member Wilson made motion to allow remaining funds in the budget to be used for the purpose of removing old trees and planting new trees on Main Street. Council Member Janes seconded motion.

Motion carried.

JIM BURNS – CITY ENGINEER

Re: Traffic Committee Recommendations

Mr. Burns presented the following recommendations made by the Traffic Committee during their March 7, 2002 meeting.

“No Parking” request in front of clinic located at 2319 Broadway (Dr. Robert Jones).

“30 Minute Parking Limit” request in front of business located at 2201 Broadway (Huse Communications).

Designation of approximately 5 spaces on the east side of South 8th Street adjacent to the Police Station from Broadway to the entrance behind the Police Station to have “Police Vehicles Only” signs.

Council had no objections to the recommendations.

Re: Tree Removal Bids

Mr. Burns recommended to Council that the bid for this project be awarded to the lowest bidder, Wilson Tree Service for \$7,500.00.

Motion was made by Mayor Hark to award the bid to Wilson’s Tree Service. Council Member Janes seconded motion.

Roll Call

Yes: Council Members Higdon, Morgan, Janes, Mayor Hark and Council Member Behymer -5

Abstain: Council Member Wilson (due to possible conflict of interest) - 1

Motion carried.

Re: Grand Avenue South Project

Mr. Burns requested Council's approval of allowing additional funds for inspection services on the Grand Avenue Extension Project and increasing work hours in order to complete the project. He requested an additional \$6,000.00 for inspection activities and an amount, not to exceed \$29,156.00, for additional contractor time.

Motion to approve additional funds was made by Council Member Wilson. Council Member Janes seconded motion.

Motion carried.

Re: Johnson Street Bridge Bids

Mr. Burns presented the bids for the Johnson Street Bridge Project. He recommended awarding the bid to the lowest bidder, Bross Construction Company in the amount of \$262,427.60.

Motion to approve awarding bid to Bross Construction Company was made by Mayor Hark. Council Member Behymer seconded motion.

Motion carried.

Re: Airport Runway Extension Project
(Resolution 954 to follow)

Mr. Burns asked the Council to approve Resolution 954 which would allow the Mayor to sign an agreement, on behalf of the City, with the Missouri Department of Transportation for amendments to the Grant agreement for the Hannibal Municipal Airport runway extension project.

Re: Contract for 4th Street Reconstruction
(Resolution 955 to follow)

Mr. Burns asked Council to approve Resolution 955 which would allow the Mayor to sign an agreement, on behalf of the City, with George Lee Jr. Construction, Inc. for the 4th Street reconstruction project.

Re: Leasing Contract with George Lee Jr. Construction, Inc.
(Resolution 956 to follow)

Mr. Burns also asked the Council to approve a lease agreement between the City and George Lee Jr. Construction Inc. allowing the construction company to store equipment on city property.

JOHN WEALER – BUILDING INSPECTOR
Re: Demolition Bids

Mr. Wealer presented bids received for property located at 309-311 S. Griffith and 617 Willow Street. He recommended that the bid be awarded to the lowest bidder, Bricker Excavation, in the amount of \$3,600.00.

Motion to award bid to Bricker Excavation was made by Council Member Behymer. Motion was seconded by Council Member Higdon.

Motion carried.

Re: Sale of City Owned Property*

Mr. Wealer stated he had received requests to purchase two parcels of city owned property. The first property, known as 1260 Lyon, had a request to purchase for \$250.00. Mr. Wealer stated that he felt the property was probably worth more than this on the market and recommended that the property be appraised and put out for bids. Council was also concerned about the closeness of the property to an existing street. They wanted to insure that when the property was sold, it would be sold with the stipulation that no buildings could be erected on the site.

Council Member Higdon made motion that the property be appraised and put out for bids with the no building stipulation. Motion was seconded by Council Member Behymer.

Motion carried.

Mr. Wealer also informed Council that he had a request from 2 citizens to buy the property known as 1909 Settles. He had one request to buy it for \$50.00 and one who offered to pay \$100.00. It was suggested by Council that the property should go to the person who offered the higher bid.

Motion was made by Council Member Wilson to sell the property to Anthony & Joy Brown for the price of \$100.00. Mayor Hark seconded motion.

Motion carried.

**Amendment to Minutes*

Mr. Wealer stated that he had several requests to purchase city owned property. The first request was for 2 lots on Vermont Street. He since then had discovered that the lots were part of the 404 Flood Buy-Out Program so that meant that these two pieces of property could not be sold. He said that these pieces of property could be leased for \$1.00 a year to the property owner adjacent to them for his use as long as he maintained the property and did not build on it or park cars on it. It was suggested by Council that he contact the property owner to see if he would be willing to do this.

The second request was from West Line Limited to purchase a piece of property on Warren Barrett Drive and Lemon Street. This offer was for \$100.00, but he felt that the piece of property was worth more than that. His recommendation was that this property be put through the normal 7-step process and offer it for bids. Motion was made by Council Member Higdon to put the property through the usual 7-step process and offer it for bids under those guidelines. Council Member Behymer seconded motion.

Motion carried.

The third piece of property was located at 1256 Lyon Street and a citizen would like to buy approximately 30 feet of this property. Mr. Wealer stated that the person who buys this property should also pay for the cost of a survey and legal description as well as the filing fees for recording. It was discussed that this property is located very close to the edge of the street and motion was made by Council Member Higdon to sell the property with the stipulation that no buildings be built on this piece of property and to include the costs of survey, description and filing fees. Council Member Behymer seconded the motion.

Motion carried.

The last property is offered at 1909 Settles street. We had two offers, one for \$50.00 and one for \$100.00 to purchase this property. Council Member Wilson made motion to award the property to the highest bidder in the amount of \$100.00. Mayor Hark seconded the motion.

Motion carried.

Re: Property Buyout – 217 Konder

On behalf of Bill Lankford, Mr. Wealer presented an agreement of the price for the buyout of 217 Konder. Alberta Griggs agreed to sell the property for \$5,000.00 and also wanted \$500.00 for moving costs.

Council Member Wilson made motion to buy property from Alberta Griggs for the total price of \$5,500.00. Council Member Behymer seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL-CITY CLERK

Re: Vacation Buy-back Benefit

The City Clerk explained to Council several problems that have come up because of the new vacation buy-back benefit. She asked Council's approval to go ahead and draft an ordinance which would eliminate this benefit from the Employee Guide to Success.

Re: Contract for Wireless Internet Service

(Resolution 953 to follow)

The City Clerk presented the contract offered by Brian Caldwell for Wireless Internet Service and installation for the city offices. She explained the savings it would incur and asked Council to approve Resolution 953 to follow.

**RESOLUTION
953**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF
THE CITY OF HANNIBAL, A 2-YEAR CONTRACT FOR THE INSTALLATION
AND DIAL UP INTERNET SERVICE WITH CALDWELL WIRELESS
INTERNET**

Council Member Wilson made a motion to have the Clerk read Resolution 953 and call the roll for adoption. Council Member Behymer seconded motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Morgan, Janes, Wilson, Mayor Hark and Council Member Behymer - 6

No: -0-

Mayor Hark declared Resolution 953 duly approved and adopted on this date.

**RESOLUTION
954**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI AUTHORIZING
THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF
HANNIBAL AND THE MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION FOR AMENDMENTS TO THE STATE BLOCK GRANT
AGREEMENT FOR THE RUNWAY EXTENSION PROJECT**

Council Member Wilson made a motion to have the Clerk read Resolution 954 and call the roll for adoption. Council Member Behymer seconded motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Morgan, Janes, Wilson, Mayor Hark and Council Member Behymer - 6
No: -0-

Mayor Hark declared Resolution 954 duly approved and adopted on this date.

**RESOLUTION
955**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GEORGE LEE, JR. CONSTRUCTION, INC. FOR THE 4TH STREET RECONSTRUCTION PROJECT

Council Member Wilson made a motion to have the Clerk read Resolution 955 and call the roll for adoption. Council Member Janes seconded motion.

Motion carried.

Roll Call

Yes: Council Members Higdon, Morgan, Janes, Wilson, Mayor Hark and Council Member Behymer - 6
No: -0-

Mayor Hark declared Resolution 955 duly approved and adopted on this date.

**RESOLUTION
956**

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF HANNIBAL AND GEORGE LEE, JR. CONSTRUCTION, INC, AND AUTHORIZING THE MAYOR TO SIGN

Council Member Janes made a motion to have the Clerk read Resolution 956 and call the roll for adoption. Council Member Wilson seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 956 duly approved and adopted on this date.

**RESOLUTION
957**

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, APPROVING A SALES AND COMPUTER SOFTWARE LICENSE AND SUPPORT AGREEMENT BETWEEN THE CITY OF HANNIBAL AND THE BOARD OF PUBLIC WORKS AND SOUTHEASTERN DATA COOPERATIVE, INC

Council Member Behymer made a motion to have the Clerk read Resolution 957 and call the roll for adoption. Council Member Higdon seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 957 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

SECOND AND FINAL READING

Council Member Wilson made motion to have the Clerk give this bill a second and final reading and call the roll for adoption. Council Member Behymer seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 02-812 duly approved and adopted on this date.

BILL NO. 02-813

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

(Construction of sewers outside the City Limits)

SECOND AND FINAL READING

(Tabled)

Motion was made by Council Member Wilson to give this bill a second and final reading and call the roll for adoption. Council Member Janes seconded motion. During discussion it was brought up by the City Attorney that he had changes that had been given to him by Mr. Chriscinske that had not been made on the present bill.

A substitute motion was made by Council Member Wilson to table this bill until the requested changes had been included. Council Member Morgan seconded motion.

Motion carried.

BILL NO. 02-814

AN ORDINANCE AMENDING CHAPTER 13 OF THE HANNIBAL CITY CODE

(Food Service Establishments)

SECOND AND FINAL READING

Council Member Higdon made motion to have the Clerk give this bill a second and final reading and call the roll for adoption. Council Member Behymer seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 02-814 duly approved and adopted on this date.

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

(tabled)

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.

(tabled)

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

(tabled)

Robert Klahr of Armstrong Teasdale sent a letter to Council stating that he asked Council to table these three bills since there were still some figures “out” that were not available at this time.

Council Member Wilson made motion to table Bill Nos. 02-815, 02-816 and 02-817 until the proper figures were received. Council Member Morgan seconded motion.

Motion carried.

ADJOURNMENT

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

Motion carried.