

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, May 7, 2002
7:00 P.M.**

ROLL CALL

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

Absent: -0-

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.

APPROVAL OF MINUTES

Council Member Behymer made a motion to approve the minutes from the April 16, 2002 meeting. Council Member Higdon seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

Council Member Behymer made a motion to approve the payroll and claims for the second half of April 2002. Council Member Wilson seconded motion.

Motion carried.

GAS TAX REPORT

The Clerk reported we received \$55,923.74 from the Dept. of Revenue for the Gas Tax, vehicle fee increases and vehicle sales. This compared with last year's amount of \$61,173.50 for the same period.

**CITY CLERK MARY BETH BAUDENDISTEL
Certification of Special Run-Off Election for Sixth Ward Councilperson Held on
April 16, 2002**

The City Clerk gave the following results from the election:

| | | |
|---------------------------|----------------|-----|
| Sixth Ward Councilperson: | Gary G. Fisher | 71 |
| | Terry Hull | 304 |

Declaring Terry Hull the winner of the Sixth Ward Council Seat for the City of Hannibal.

Council Member Behymer made a motion to approve the Certification of the Election.
Council Member Higdon seconded motion.

Motion carried.

BILL NO. 02-821

**AN ORDINANCE AMENDING CHAPTER III OF THE EMPLOYEE GUIDE TO
SUCCESS IN REGARDS TO COMPUTATION OF SICK LEAVE FOR
FIREMEN**

SECOND AND FINAL READING

Council Member Dexheimer made a motion to give Bill No. 02-821 a Second and Final reading and have the Clerk call the roll for adoption. The motion died due to a lack of a second.

BILL NO. 02-822

**AN ORDINANCE ADOPTING AND IMPOSING A ONE-QUARTER CENT
SALES TAX FOR FIRE PROTECTION SERVICES, WITH SAID REVENUES
TO BE USED TO PAY FOR FIRE PROTECTION SERVICE**

SECOND AND FINAL READING

Council Member Wilson made a motion to have the Clerk give this Bill a Second and Final Reading and call the roll for adoption. Council Member Higdon seconded motion.

Motion carried.

Roll Call

Yes: Council Members Morgan, Janes, Wilson, Mayor Hark, Council Members Dexheimer, Behymer and Higdon.- 7

No: -0-

Mayor Hark declared Bill No. 02-822 duly approved and adopted on this date.

MAYOR HARK

Mayor Hark asked Council's approval for adding to the agenda the approval of Hannibal Housing Board Nominations presented at the last meeting, which was inadvertently left off of this agenda. Council Member Morgan made motion to add this item to the agenda. Council Member Janes seconded motion.

Motion carried.

Mayor Hark asked Council's approval for the following nominations:

Hannibal Housing Authority Board:

| | |
|-------------|-------------------------------------|
| Jason Cruse | Four-year term expiring April 2006. |
| Jan Ghanti | Four-year term expiring April 2006. |

Council Member Wilson made motion to approve the nominations. Council Member Janes seconded motion.

Motion carried.

Re: Letter of Appreciation to Council Member Higdon.

At this time, Mayor Hark called Council Member Higdon to the podium and read a letter of appreciation for his service as Council Member.

**ADJOURNMENT
SINE-DIE**

OATH OF OFFICE

At this time, Judge Motley administered the Oath of Office to new Council Member, Terry Hull.

ROLL CALL

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

CALL TO ORDER

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

MAYOR HARK

Council Member Dexheimer made motion to have the Proclamation declaring National Music Week to be read on the Council floor. Council Member Behymer seconded motion.

Motion carried.

The Clerk read the Proclamation declaring May 5 through May 12, 2002 as National Music Week and Mayor Hark present the Proclamation to Mrs. Craig.

STEVE AYERS - PRES. GREAT RIVER ROAD GUILD OF PROFESSIONAL ARTISANS

Re: Award Presentation for the Provenance Project

Mr. Ayers presented awards received from the Joint Center for Sustainable Communities for the Provenance Project to the City. He explained what the Provenance Project was and the area it covered.

PYRFEECT ORGANIZATION

Re: Receipt of Letter of Request

Since Ms. Mayfield, President of the Organization was not present, Mayor Hark had the Clerk read the letter of request regarding the closure of streets for the June 15, 2002 Annual Juneteenth Celebration.

The organization requested closings of entry to 5th & Center, 5th & Center to 5th & Broadway during the celebration. They also requested a temporary blocking of 5th & Broadway going east and turning left at 4th & Broadway to Center Street for a performance of their drill team.

The Council had several questions and concerns in regards to this and asked the Clerk to contact Ms. Mayfield so that she could be present at the next meeting to answer questions regarding this request.

Council Member Dexheimer made a motion to table this request until contact with Ms. Mayfield could be made. Mayor Hark seconded motion.

Motion carried.

MICHAEL GAINES – HANNIBAL ARTS COUNCIL

Re: Request for Use of Property for 15th Annual Autumn Historic Folklife Festival

On behalf of the Hannibal Arts Council, Mr. Gaines requested Council's permission and approval to use the following areas for both the Annual River Arts Festival on May 25th and 26th, 2002 and the Autumn Historic Folklife Festival on October 19th and 20th, 2002:

North Main Street from Broadway north to North Street
Side streets of Center, Bird and Hill to alleys East and West of Main Street
"Ole Planters" parking lot
Main and Bird parking lot

Council Member Dexheimer made motion to grant request. Council Member Behymer seconded motion.

Motion carried.

**REV. GERALD E. BEGLEY – PASTOR of FIRST ASSEMBLY OF GOD
CHURCH**

Re: Use of Property During the Folk Life Festival

On behalf of Pastor Begley, Wendell Glance requested use of the property at the approach to the Old Hannibal Bridge off of 3rd Street for activities of their Royal Rangers during the Folk Life Festival.

Council Member Dexheimer made motion to approve the request. Council Member Wilson seconded motion. City Attorney, Bob Curtis discussed his concerns regarding allowing a religious organization to use City owned property for this purpose. Also, during discussion, it was mentioned that we do not, as of this date, have the deed for this piece of property from the Highway Department. Council Member Dexheimer amended

his motion to state that the request for use of this property be granted contingent upon receipt of a proper deed from the Highway Department. Council Member Behymer seconded the amended motion.

Motion carried.

JANET QUINN (ON BEHALF OF CHARLES PERKINS)
Re: Waiver of Tax Penalty

Ms. Quinn made a request on behalf of Charles Perkins that the penalty for the late taxes be waived. Mr. Perkins did not pay his taxes because of ongoing health problems. Council Member Wilson made motion to waive tax penalties. Council Member Dexheimer seconded motion.

Motion carried.

ROBERT E. RINEY (ON BEHALF OF BEN COX, Decd.)
Re: Waiver of Tax Penalty

Mr. Riney requested that tax penalties be waived on behalf of Ben Cox who was deceased. Council Member Dexheimer made motion to waive tax penalties on this property. Council Member Behymer seconded motion.

Motion carried.

BOB CHRISCINSKE – SUPT BOARD OF PUBLIC WORKS
Re: Purchase of Property to Install Pump Station
(Resolution 966 to follow)

Since Mr. Chriscinske was not available for the meeting, Gary Shimun stated that he would be available to answer any questions Council might have regarding this Resolution.

JERRY KELLEY – CITY PLANNER
Re: Diamond Blvd. Plat
(Bill #02-823 to follow)

Mr. Kelley presented Council with a plat of Diamond Blvd., which had been unanimously approved, by the Planning and Zoning Commission in their April 18, 2002 meeting. He asked Council to approve this plan by approving the Bill to follow.

Re: Rezoning Request

Mr. Kelley stated that on April 18, 2002, the Planning and Zoning Commission recommended by a vote of 3-2 to rezone three parcels as originally submitted by Mr. Peters. After hearing concerns of residential property owner, Mr. Peters has amended his request to re-zone to include only one parcel upon which his structure is located. He asked Council's approval of setting a public hearing for this proposal to be held on June 4, 2002 at 6:30 P.M.

Council Member Dexheimer made a motion to set the public hearing on the date specified by Mr. Kelley. Council Member Behymer seconded motion.

Motion carried.

JIM BURNS – CITY ENGINEER
Re: Johnson Street Bridge - Change Order No. 1

Mr. Burns asked Council's approval for Change Order No. 1 in the amount of \$32,454.45 on the Johnson Street Bridge Project. Council Member Dexheimer made a motion to approve this change order. Council Member Wilson seconded motion.

Motion carried.

Re: Re-awarding Tree Bid

Mr. Burns stated that the previous low bidder on the Tree Bid (Wilson's Tree Service) was unable to fill the obligation of doing the work, so he asked Council's approval in awarding the bid to the next lowest bidder on this project. It was brought up that there was a discrepancy in what was the number for the bid amount (\$9,303.56), and the written number of the bid amount (\$8,903.56). It was decided that Council would recognize the written amount which was in the amount of \$8,903.56.

Motion was made by Mayor Hark to award the bid to Alpine Tree Service in the amount of \$8,903.56. Council Member Morgan seconded motion.

Motion carried.

Re: Street Dept. Tractor Bids

Mr. Burns made the recommendation to Council that they approve the lowest bid amount for the purchase of a tractor to Meyer Implement Company in the amount of \$34,750.00.

Motion was made by Council Member Dexheimer to award the bid to Meyer Implement for the stated amount. Council Member Behymer seconded motion.

Motion carried.

RESOLUTION 966

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE BOARD OF PUBLIC WORKS TO PURCHASE PROPERTY FROM UNION ELECTRIC COMPANY FOR THE PURPOSE OF INSTALLING A PUMP STATION ON PROPERTY FOR THE SAWYER'S CREEK PROJECT

Motion was made by Council Member Wilson 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, Council Members Dexheimer, Behymer, Hull and Morgan. – 7

No: -0-

Mayor Hark declared Resolution 966 duly approved and adopted on this date.

BILL NO. 02-823

AN ORDINANCE APPROVING THE DIAMOND BOULEVARD PLAT, BEING PART OF LOT 4 IN MCMASTERS SUBDIVISION AND PART OF LOT 4 IN FUQUA'S SUBDIVISION ALL LAYING 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.

FIRST READING

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

Motion carried.

Motion was made by Council Member Dexheimer to move into Closed Session in accordance with RSMo 610-021(1)(3) admitting the Council, City Attorney, City Manager, Chief Downs and the City Clerk. Council Member Wilson seconded motion.

Roll Call

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

No: -0-

Motion carried.

**CLOSED SESSION
In Accordance with RSMo 610-021 (1)**

Motion was made by Council Member Dexheimer to make check out for \$500.00 payable to both Dorinda Wells and Branson Wood regarding their lawsuit. Council Member Behymer seconded motion.

Motion carried.

Motion was made by Council Member Dexheimer to pay Larry Lewis, retroactively his wages reflecting the 2001-02 step and grade increase and to also reflect this additional payment in the figures for his P&F retirement disability pension. Council Member Wilson seconded motion.

Motion carried.

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

Motion carried.

ADJOURNMENT

Motion was made by Council Member Dexheimer to adjourn. Motion seconded by Council Member Janes.

Motion carried..

