

**PUBLIC HEARING**

**Tuesday, September 3, 2002  
6:45 P.M.**

**CALL TO ORDER**

At 6:45 P.M., Mayor Hark called the public hearing to order.

**GARY SHIMUN – CITY MANAGER**

**Re: City’s Submission of an Application to the State of Missouri for Community Development Block Grant (CDBG) Program.**

The City is interested in obtaining citizen input on community and economic development needs within the City, and proposes to request approximately \$850,000.00 in CDBG funds for rail spur and building improvements.

Mr. Shimun gave a brief overview of the grant and the improvements that would be done with the funds.

**PUBLIC COMMENTS**

Ms. Robyn Fitzpatrick of the Mark Twain Area of Governments of Perry, Mo. Spoke in favor of the grant and the improvements it would enable.

**ADJOURNMENT**

There being no one else present who wished to speak, Mayor Hark closed the Public Hearing.

**OFFICIAL COUNCIL PROCEEDINGS**

**Tuesday, September 3, 2002  
7:00 P.M.**

**ROLL CALL**

**Present:** Council Members Behymer, Hull, Morgan, Janes, Wilson & Mayor Hark - 6

**Absent:** Council Member Dexheimer -1

**Also present:** City Attorney, City Clerk, and City Manager

**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 Wilson led the pledge of allegiance to the flag.

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

Motion carried.

Mayor Hark also made motion to add Faye Bleigh, Director of Tourism under his name on the agenda. Council Member Behymer seconded motion.

Motion carried.

**APPROVAL OF MINUTES**  
**Regular Meeting of August 20, 2002**

Council Member Janes made motion to approve the minutes of the August 20, 2002 meeting. Council Member Behymer seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS**  
**Second Half of August 2002**

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

Motion carried.

**GAS TAX REPORT**

The Clerk reported that we received \$59,660.90 from the Dept. of Revenue for the gas, motor vehicle and sales fees in August 2002. This compares to last year's figure of \$60,798.09.

**MAYOR HARK**  
**Re: Proclamation – Day of Remembrance**

The City Clerk read the Proclamation declaring September 11, 2002 a Day of Remembrance.

After the reading, Mayor Hark asked that a notation be made that Council Member Dexheimer had entered the meeting.

**CITIZEN GLENN YODER**  
**Re: 113 North Maple**

The City Clerk reported that Mr. Yoder had called earlier and asked this item be removed from the agenda since he would not be at the meeting and he had no further plans for this piece of property. Council Member Dexheimer made motion to table this agenda item. Council Member Behymer seconded motion.

Motion carried.

**FAYE BLEIGH – DIRECTOR OF TOURISM**

**Re: Milling on Broadway**

Ms. Bleigh expressed her displeasure concerning the milling that was done on the lower end of Broadway causing a rough road surface. She stated that the Harley convention was to be held this coming weekend and she felt that this rough surface was a liability and would be dangerous for the bikers to ride on.

After discussion with the City Engineer regarding this problem. It was decided that “Caution – Rough Road Surface” signs would be erected at several points to warn the riders of the condition of the road.

**CITY MANAGER – GARY SHIMUN**

**Re: MoDot Airport Aid Agreement**

(Resolution 985 to follow)

Mr. Shimun explained to Council the MoDot Airport Aid agreement and the improvements that would be made with the funds. He asked Council to approve the Resolution later that would allow the Mayor to sign this agreement on behalf of the City.

**MARY BETH BAUDENDISTEL – CITY CLERK**

**Re: Set Public Hearing Date for Setting 2002-03 Tax Rate**

The City Clerk requested that a Public Hearing date for setting the 2002-03 tax rate be held on Tuesday, September 17, 2003, at 6:50 P.M. Council Member Morgan made a motion approving this date for the public hearing. Council Member Wilson seconded motion.

Motion carried.

**Re: Reinstating Code of Ethics Ordinance as Required by Law**

(Bill No. 02-839 to follow)

The City Clerk explained that the Ordinance regarding the City’s Code of Ethics policy had to be re-adopted every two years. She asked that this bill be granted a first reading later in the meeting.

**BOB CHRISCINSKE – SUPERINTENDENT OF B.P.W.**  
**Re: Changing Title from Superintendent to General Manager**  
(Bill No. 02-838 to follow)

Mr. Chriscinske explained to Council that the general convention for the title of his position was General Manager, and not Superintendent. Since the title, Superintendent, existed in our City Charter, it would require a vote of the people to make this change. He was asking that this be put on the next regularly scheduled City Election.

**BILL MADORE – POLICE AND FIRE RETIREMENT BOARD**  
**Re: Age Limitation Ordinance for Police & Fire**  
(Bill No. 02-836 and 02-835 to follow)

Mr. Madore explained to Council the reason behind the request from the Police and Fire Retirement Board to implement changes of the hiring procedures in the Code regarding Policemen and Firemen. This change would require that the person hired be between the age of 21 and not over the age of 35 for these departments.

After a lengthy discussion, Council Member Wilson expressed his desire that the Police and Fire Retirement Board also work on a mandatory retirement age for these departments.

**JOHN WEALER – CITY BUILDING INSPECTOR**  
**Re: Maintenance of Non-Owner Occupied Dwellings Minimal Standards**  
(Bill No. 02-840)

Mr. Wealer presented to Council the proposed ordinance that would require occupancy permits to be issued to most rental property. He stated that they had already inspected a large number of rental properties, at the request of the landlords, to get a feel of how this program would work. He found the results to be favorable for both the landlord and the renter.

During discussion, Council Member Morgan asked that the phrase “every two years” be inserted to replace the term “bi-annual” for clarification.

**CITY ATTORNEY – ROBERT CURTIS**  
**Re: Establishing Procedures and Requirements for Issuance of Administrative Search Warrants**  
(Bill No. 02-841 to follow)

Mr. Curtis explained to Council how this ordinance would enable the Inspector’s to enforce the requirement of Occupancy Inspections and Permits if there should be a problem with a landlord or a tenant not wishing to cooperate.

**JIM BURNS – CITY ENGINEER**  
**Re: Traffic Committee Recommendations**

Jim Burns presented to Council the following traffic committee recommendations from their last regular meeting.

1. Change the pattern flow of traffic on Broadway: Set all traffic signals on Broadway to “Stop” instead of “Caution” after 9:00 P.M.
2. Install “2-Hour Parking”, 400 block, south side of Broadway.
3. Replace the “Yield” sign at corner of Jericho Road & Munger Lane with a “Stop” sign.

Mayor Hark asked if Council wished to take action on any of these recommendations. There being no action taken by Council, the Mayor declared these recommendations approved.

**Re: Bid for Sale of Property – 1704 Wardlaw**

Mr. Wealer explained to Council that an appraisal had already been obtained from the City for this piece of property and asked Council’s permission to go out for sealed bids to sell it. Council Member Wilson made motion to go out for sealed bids on this property. Council Member Hull seconded motion.

Motion carried.

**Re: Mosquito Update**

Mr. Burns explained that he and Mr. Wallace had obtained a quantity of information in regards to the benefits of mosquito spraying. His findings were that the spraying is not as effective as it used to be since new safety standards have been applied to the types of chemical used for spraying. He stated that general sanitation practices such as eliminating standing water, garbage, old tires, etc., were the recommended practice for eliminating mosquitoes.

**Re: 4<sup>th</sup> Street Change Order**

Mr. Burns requested Council’s approval for a time extension of eighty (80) calendar days be granted to George Lee Construction on this project. Motion was made by Council Member Wilson to approve the extension. Council Member Morgan seconded motion.

**Roll Call**

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

**No:** Council Member Dexheimer – 1

Motion carried.

**Re: 3<sup>rd</sup> Street Change Order #2**

Mr. Burns requested approval of a time extension of sixty (60) days granted to George Lee Construction due to the late delivery of the historical lights needed to complete the project. Council Member Wilson made motion to approve this extension. Council Member Janes seconded motion.

**Roll Call**

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

**No:** Council Member Dexheimer – 1

Motion carried.

**Re: Diamond Boulevard Extension and Construction Project  
Contract with Bleigh Construction  
(Resolution 986 to follow)**

Mr. Burns asked Council’s permission to have the Mayor sign the Contract with Bleigh Construction Company, who was approved for this project, by approving the Resolution to follow.

**RESOLUTION 985**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING  
THE MAYOR TO SIGN A MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION AIRPORT AID AGREEMENT**

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 Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark – 7

**No:** -0-

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

**RESOLUTION 986**

**A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE MAYOR TO SIGN A CONTRACT BETWEEN THE CITY OF HANNIBAL AND BLEIGH CONSTRUCTION COMPANY FOR THE EXTENSION AND CONSTRUCTION OF DIAMOND BOULEVARD, DRAINAGE IMPROVEMENTS, AND CROSS-ACCESS EASEMENT BETWEEN HUCK FINN SHOPPING CENTER AND THE REALTY**

Council Member Morgan made the 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 Dexheimer, Behymer, Hull, Morgan, Janes, Wilson and Mayor Hark – 7

**No:** -0-

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

**BILL NO. 02-836**

**AN ORDINANCE AMENDING ARTICLE II, FIRE DEPARTMENT, DIVISION I, GENERALLY, OF CHAPTER 12 OF THE HANNIBAL CITY CODE**

(Age Limitations for Hiring in Fire Dept.)

**FIRST READING**

Council Member Behymer made motion to have the Clerk give this Bill a First Reading. Council Member Janes seconded motion.

Motion carried.



**BILL NO. 02-837**

**AN ORDINANCE AMENDING ARTICLE II, POLICE DEPARTMENT,  
DIVISION I, GENERALLY, OF CHAPTER 23 OF THE HANNIBAL CITY CODE  
(Age Limitations for Hiring Police Dept.)**

**FIRST READING**

Council Member Behymer made motion to have the Clerk give this Bill a First Reading.  
Council Member Wilson seconded motion.

Motion carried.

**BILL NO. 02-838**

**(AN ORDINANCE PROVIDING FOR THE HOLDING OF AN ELECTION  
WITHIN AND FOR THE CITY OF HANNIBAL, MISSOURI, ON THE  
QUESTION OF AMENDING SECTION 11.10 OF THE CHARTER OF THE  
CITY OF HANNIBAL TO CHANGE THE TITLE OF SUPERINTENDENT TO  
GENERAL MANAGER AND SETTING THE TIME AT WHICH SAID  
ORDINANCE SHALL BECOME EFFECTIVE.)**

Since this Bill missed the deadline for the November election, Council Member Morgan  
made a motion to table. Council Member Janes seconded motion.

Motion carried.

**BILL NO. 02-839**

**AN ORDINANCE RATIFYING ORDINANCE 3760 OF THE CODE OF  
ORDINANCE OF THE CITY OF HANNIBAL PERTAINING TO THE CODE OF  
ETHICS**

**FIRST READING**

Council Member Janes made motion to have the Clerk give this Bill a First Reading.  
Council Member Behymer seconded motion.

Motion carried.

**BILL NO. 02-840**  
**As amended**

**AN ORDINANCE ESTABLISHING MINIMUM STANDARDS FOR THE MAINTENANCE OF NON-OWNER OCCUPIED DWELLINGS WITHIN THE CITY OF HANNIBAL FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE OF THE PEOPLE OF THE CITY OF HANNIBAL AND FOR THE PRESERVATION OF LAND VALUE AND BUILDINGS THROUGHOUT THE CITY OF HANNIBAL; FIXING CERTAIN RESPONSIBILITIES AND DUTIES OF OWNERS AND OCCUPANTS OF DWELLINGS; AND FURTHER ESTABLISHING PERMITS AND INSPECTION REGULATIONS AND PROCEDURES FOR ENFORCING THE SAME**

**FIRST READING**

Council Member Behymer made motion to have the Clerk give this Bill a First Reading as amended. Council Member Hull seconded motion.

Motion carried.

**BILL NO. 02-841**

**AN ORDINANCE OF HANNIBAL, MISSOURI, ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE ISSUANCE OF ADMINISTRATIVE SEARCH WARRANTS**

**FIRST READING**

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

Motion carried.

**BILL NO. 02-835**

**AN ORDINANCE AMENDING ARTICLE IX SUPPLEMENTAL REGULATIONS OF CHAPTER 32 OF THE HANNIBAL CITY CODE, ZONING (Rezoning for proposed Beth Haven Nursing Home)**

**SECOND AND FINAL READING**

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

Motion carried.

**Roll Call**

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

**No:** -0-

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

**ADJOURNMENT**

Motion was made by Council Member Behymer to adjourn. Council Member Wilson seconded motion.

Motion carried.