

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday, September 17, 2002
7:00 P.M.**

ROLL CALL

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

Also Present: City Clerk and City Attorney

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 Wilson led the Pledge of Allegiance to the Flag.

**APPROVAL OF MINUTES
September 3, 2002 Meeting**

Council Member Morgan made motion to approve the minutes of the September 3, 2002 Council Meeting. Council Member Janes seconded motion.

Motion carried.

**APPROVAL OF PAYROLL AND CLAIMS
First Half of September 2002**

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

Motion carried.

SALES TAX REPORT

The Clerk reported we received \$344,078.16 from the MO Department of Revenue for the 1-cent sales tax for the month of July 2002. This compares to \$299,474.52 which we received last year for the same period.

The Clerk reported we received \$172,038.87 from the MO Department of Revenue for the ½ cent capitol improvement tax for the month of July 2002. This compares to \$149,737.24 which we received last year for the same period.

The Clerk reported we received \$172,039.04 from the MO Department of Revenue for the ½ cent Parks & Recreation tax for the month of July 2002, 2002. This compares to \$149,737.25 which we received last year for the same period.

CITIZEN GARY W. SMITH

Re: Property at 113-113A North Maple Avenue

Mr. & Mrs. Smith asked Council to delay demolishing the house on 113-113A North Maple so that they could obtain the house and refurbish it. Mr. Smith stated that they would take care of the back taxes and would have most work done in 60 days. Council Member Wilson made motion to delay demolition of this property. Council Member Janes seconded motion.

Motion carried.

JENNIE EDWARDS OF EDWARDS ATA BLACKBELT ACADEMY

Re: Random Acts of Kindness Program

Ms. Edwards explained the Random Acts of Kindness Program that she had initiated in her school and was also introducing it to other school children. The goal of each child is to keep a journal and complete 1000 acts of kindness with the community. These students' names would then be sent to the President of the United States for commendation. She also passed out journals to all the Council Members and the Mayor and asked that they also participate in the program that began on September 11, 2002 and will end on September 11, 2003.

STEVEN C. WHELAN
Re: 4th Street Paving Project

Mr. Whelan came forward with several questions regarding the paving work done on 4th Street and also the time extensions granted to the construction company. Mayor Hark answered his questions and thanked him for his concern.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Rescheduling Public Hearing for Setting of 2002-03 Tax Rate

The City Clerk asked that the Public Hearing to set the 2002 tax rate for the City be postponed and a new public hearing date for Tuesday, October 01, 2002 at 6:50 P.M. be approved. Council Member Morgan made motion to approve the public hearing date of October 01, 2002. Council Member Wilson seconded motion.

Motion carried.

MAJOR JOEY RUNYON – HANNIBAL POLICE DEPARTMENT
Re: JAIGB Juvenile Accountability Incentive Block Grant
(Resolution 987 to follow)

Major Runyon explained to Council the purpose of this Grant and what the City involvement would be. He asked Council to support this request by approving the Resolution to follow.

BOB CHRISCINSKE – SUPERINTENDENT OF BOARD OF PUBLIC WORKS
Re: Renewal of 94 Series Bonds
(Resolution 988 to follow)

Mr. Chriscinske had checked with his “bond people” and they stated that this resolution to renew the bonds would not be needed. He asked that Council table this resolution when it comes up on the agenda.

Re: Approval of Contract to Paint Water Tower
(Resolution 989 to follow)

Mr. Chriscinske explained the costs associated with painting of this water tower and asked that Council approve the resolution to follow to sign a contract for doing this work.

Re: Endorsement of Amendment #4
(Resolution 990 to follow)

Mr. Chriscinske asked Council to approve the resolution to follow which would indicate the City's support of Missouri Constitutional Amendment #4 to authorize joint Municipal Utility Projects to be local rather than state regulated.

JIM BURNS – CITY ENGINEER
Re: Bid Recommendations for Tree Removal

Mr. Burns recommended that Council approve awarding the bid for this service to Wilson's Tree Service in the amount of \$12,500.00

Motion was made by Council Member Janes to approve this recommendation. Council Mayor Hark seconded motion.

Roll Call

Yes: Council Members Hull, Morgan, Janes, Mayor Hark,
Council Members Behymer & Dexheimer – 6

No: -0-

Abstain: Council Member Wilson - 1

Motion carried.

Re: Bid Recommendations for Pick Up Truck, Snowplow and Snow Plow Prep Package

Mr. Burns recommended that this bid be awarded to Tom Boland Ford, Inc. in the amount of \$18,999.00. Council Member Dexheimer made motion to approve awarding this bid to Tom Boland Ford. Council Member Wilson seconded motion.

Motion carried.

Re: Bid Recommendations for Asphalt & Milling

Mr. Burns requested that this bid be awarded to Chester Bross Construction in the amount of \$199,698.80. Council Member Behymer made motion to approve the City Engineer's recommendation. Mayor Hark seconded motion.

Motion carried.

**Re: Agreement Between Meco Engineering for Design and Construction Inspection
for Improvement of Lindell Avenue over Mill Creek Bridge Project
(Resolution 991 to follow)**

Mr. Burns asked Council's approval of an agreement for professional services between the City and MECO Engineering in the amount of \$41,133.02 for design services and \$19,846.05 for construction inspection services for this project. He asked them to consider this in Resolution 991 to follow.

**JIM MITCHELL – PRESIDENT OF LANDMARKS & MONUMENT BOARD
Re: Recommendation by Friends of Historical Hannibal to Review all Scheduled
Demolitions**

Mr. Mitchell deferred to Mr. Frank Salter of the Historical Landmarks and Monument Board. Mr. Salter explained that they had received a suggestion from the "Friends of Historical Hannibal" committee that the Landmarks & Monument Board be allowed to review a list of all properties scheduled for demolition. He stated that the purpose of this would be to try and assist Mr. Wealer in trying to place some of these properties in hands of citizens who might be interested in refurbishing them.

After discussion, it was decided that the time for the list to be reviewed by the committee would be when Mr. Wealer condemns a property and before he goes out for bids for demolition. Council Member Janes made motion to approve this request. Council Member Behymer seconded motion.

Motion carried.

RESOLUTION 987

**A RESOLUTION APPROVING A CONTRACT FOR REIMBURSEMENT
SERVICES FOR THE HANNIBAL PUBLIC SCHOOL #60 AND THE 10TH
CIRCUIT JUVENILE COURT FOR THEIR PARTICIPATION IN THE
JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT.
(JAIGB)**

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

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 987 duly approved and adopted on this date.

RESOLUTION 988

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, TO RENEW THE LEASE AGREEMENT WITH THE BNY TRUST COMPANY OF MISSOURI FOR THE SERIES 1994 BONDS

Council Member Wilson made motion to table this Resolution. Mayor Hark seconded motion.

Motion carried.

RESOLUTION 989

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE BOARD OF PUBLIC WORKS WITH UTILITY SERVICE COMPANY, INC. FOR MATERIALS AND LABOR TO PAINT AND REHABILITATE THE INDIAN MOUNDS WATER TOWER, IN THE AMOUNT OF \$281,600.00

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

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Resolution 989 duly approved and adopted on this date.

RESOLUTION 990

**A RESOLUTION ENDORSING MISSOURI CONSTITUTIONAL AMENDMENT
NUMBER FOUR TO AUTHORIZE JOINT MUNICIPAL UTILITY PROJECTS
SUBJECT TO LOCAL RATHER THAN STATE REGULATIONS**

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

No: -0-

Mayor Hark declared Resolution 990 duly approved and adopted on this date.

RESOLUTION 991

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT
BETWEEN THE CITY OF HANNIBAL AND MECO ENGINEERING
COMPANY, INC. FOR PROFESSIONAL ENGINEERING SERVICES
INCLUDING DESIGN, PLANNING AND CONSTRUCTION INSPECTION FOR
THE LINDELL AVENUE OVER MILLS CREEK BRIDGE IMPROVEMENT
PROJECT**

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

No: -0-

Mayor Hark declared Resolution 991 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.)

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 Janes seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 02-836 duly approved and adopted on this date.

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 Officers)

SECOND AND FINAL READING

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

No: -0-

Mayor Hark declared Bill No. 02-837 duly approved and adopted on this date.

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**

SECOND AND FINAL READING

Council Member Janes made a motion to have the Clerk give this bill a Second and Final Reading and call the roll for adoption. Council Member Morgan seconded motion.

Motion carried.

Roll Call

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

No: -0-

Mayor Hark declared Bill No. 02-839 duly approved and adopted on this date.

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**

SECOND AND FINAL READING

Council Member Morgan made a motion to have the Clerk give this bill a Second and Final Reading, as amended, and call the roll for adoption. Council Member Hull seconded motion.

Roll Call

Yes: Council Members Hull, Morgan, Janes, Mayor Hark, and Council Member Behymer – 5

No: Council Members Wilson and Dexheimer – 2

Motion carried.

Roll Call

Yes: Council Members Hull, Morgan, Janes, Mayor Hark, and Council Member Behymer – 5

No: Council Members Wilson and Dexheimer - 2

Mayor Hark declared Bill No. 02-840, as amended, duly approved and adopted on this date.

BILL NO. 02-841

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

SECOND AND FINAL READING

Council Member Hull made a motion to have the Clerk give this bill a Second and Final Reading, and call the roll for adoption. Mayor Hark seconded motion.

Roll Call

Yes: Council Members Hull, Morgan, Janes, Mayor Hark, and Council Member Behymer – 5

No: Council Members Wilson and Dexheimer – 2

Motion carried.

Roll Call

Yes: Council Members Hull, Morgan, Janes, Mayor Hark, and Council Member Behymer – 5

No: Council Members Wilson and Dexheimer - 2

Mayor Hark declared Bill No. 02-841, as amended, duly approved and adopted on this date.

CLOSED SESSION (2)

Motion was made by Mayor Hark to go into closed session in accordance with RSMo 610-021 (1) admitting himself, the Council, City Attorney, members of the Landmarks & Monument Board and the City Clerk. Council Member Behymer seconded motion.

Roll Call

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

No: -0-

Motion carried.

Closed Sessions in Accordance with RSMo 610-021 (1)

Motion was made by Council Member Behymer to go out of closed session. Motion was seconded by Mayor Hark.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Hull to adjourn. Mayor Hark seconded motion.

Motion carried.