

NOTICE OF PUBLIC HEARING

**August 5, 2003
6:45 P.M.**

CALL TO ORDER

At the appointed hour, Mayor Hark called the public hearing to order.

JIM BURNS – CITY ENGINEER

Re: Re-Zoning Property Located at 3939 McMasters Avenue from “A” One and Two Family to “D” Highway Business

Mr. Burns gave a brief explanation of the zoning change and the property involved. Mr. George Walley of Northeast Missouri Development also gave a description of the proposed Sonic Restaurant to be located on the site and presented pictures showing proposed locations of entrances and exits.

Mr. Larry Craig of the Chamber of Commerce spoke on behalf of the new business that was to be located on this site.

PUBLIC COMMENTS

There being no other citizens wishing to speak for or against this rezoning, Mayor Hark declared the Public Hearing adjourned.

OFFICIAL COUNCIL PROCEEDINGS

**August 5, 2003
7:00 P.M.**

ROLL CALL

Present: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer, and Hatton - 6

Absent: Council Member Janes – 1

Also Present: City Manager, City Attorney and City Clerk

CALL TO ORDER

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

INVOCATION

Council Member Knickerbocker gave the invocation.

PLEDGE OF ALLEGIANCE

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

At this point, motion was made by Council Member Knickerbocker to excuse Council Member Janes. Council Member Hatton seconded motion.

Motion carried.

**APPROVAL OF MINUTES
Meeting of July 15, 2003**

Council Member Wilson made motion to approve the minutes. Mayor Hark seconded motion.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
Second Half of July, 2003

Council Member Hatton made motion to approve the payroll and claims. Mayor Hark seconded motion.

Motion carried.

BEVERLY SIMPSON – CITIZEN
Re: Emergency Preparedness

Ms. Simpson expressed to Council her concerns regarding procedures followed during a recent bomb threat at a local nursing home. She presented several actions that she considered needed improvement. Council thanked her for her input and stated that they would be taking her concerns under advisement.

CINDY & RODNEY BENJAMIN – STORE OWNERS
Re: Property at 211 Broadway

Ms. Benjamin asked that the City lift the condemnation on their building so that they could continue repairs on it.

City Engineer, Jim Burns, explained to Council that on advice of the City Attorney, he is directing the Building Inspector to lift this condemnation until they can re-enter the buildings and examine them again. Since Mr. Wealer was on vacation, Council Member Dexheimer asked Mr. Burns if he would send those letters out instead of waiting.

RON HARVEY - CITIZEN
Re: Property at 213 Broadway

Mr. Harvey stated that due to the decision of Council, this would take care of his problem also.

TARA BOWMAN - CITIZEN
Re: Denial of Taxi License by Police Chief

Ms. Bowman stated that the Police Chief had denied her request to renew her taxi license since she had been arrested for a drug charge in 1998. Council Member Wilson explained to Ms. Bowman that the Chief had followed proper protocol, however, in the past Council had granted a license to another felon for a taxi license and this person had turned him or herself around and had done a good job. Council Member Knickerbocker questioned Ms. Bowman concerning whether or not she had been in any kind of trouble since then, and she stated that she had not had any problems since 1998.

Council Member Wilson made motion to allow Ms. Bowman to renew her taxi license. Council Member Knickerbocker seconded motion.

Motion carried.

Council Member Wilson also commended the Chief for following protocol in this situation.

BRIT CRABTREE

Re: Street Department and Damages to Homeowners During Repair

(Item not discussed by Ms. Crabtree)

Re: Airport Project

Ms. Crabtree questioned the Council members if they individually knew the out of pocket expense for the Airport. Council Members did not have this figure off the top of their heads.

Re: Growing Crime Rate and Hannibal Police Department

Ms. Crabtree praised the fire department for their management and quick response. She stated that the police department is on the right track now, but the department was very much understaffed. She expressed her desire to have more officers on the street and a better pay scale for the police department by the next fiscal year.

Re: Finance Manager

(Item not discussed by Ms. Crabtree)

Re: “Beautification” and Code Enforcement

Ms. Crabtree expressed her concern that the Code Enforcement had specifically targeted the same areas while sending letters. She also cited inconsistencies concerning how long the people were given to mow their property. She felt that the beautification program was discriminatory and unfair.

JOHN YASENKO - CITIZEN

Re: Hot August Nights Event

Mr. Yasenکو informed Council that another lot, commonly called Wassinger’s lot has been acquired for this event.

MR. RAY WILSON – H.I.S. Kids, Inc.
Re: Hot Air Balloon Rally

Mr. Wilson brought information to Council explaining the charity (H.I.S. Kids Incorporated) for which they are raising funds. He also gave a brief description of the event and several documents supporting their work in this charity. A map was also presented showing the layout of the Rally and the location of events. He asked the City's permission to use the City Airport property for this event.

Council Member Knickerbocker made motion to approve the use of City property for this event. Council Member Wilson seconded motion.

Motion carried.

GARY SHIMUN – CITY MANAGER
Re: Appointments to Boards and Commissions

Historic Landmark and Monument Board

Robert Saxbury – a three year term to expire January 31, 2005

Board of Adjustment

Robert Saxbury – Alternate

Hannibal Free Public Library

Mark Johnson – remainder of a three-year term to expire June 2004

Tree Board

Chris Shulse – a three year term to expire September 2006

Geri Graves – a three-year term to expire September 2006

Klaus Stendebach – a three year term to expire September 2006

Historic Development District Commission

Sara North – a five year term to expire May 2008

Hannibal Parks and Recreation Board

Sid Buckman – a three year term to expire July 2006

Airport Commission

William Schneider, Jr. – a three year term to expire September 2006

Terrell Dempsey – a three year term to expire September 2006

Mr. Shimun presented to Council his recommendations for vacancies on several boards and commissions. He will be asking for approval of these nominations at the next regular Council Meeting.

CAPTAIN LYNDELL DAVIS – HANNIBAL POLICE DEPARTMENT
Re: Updating Present Cat and Dog Ordinance

Captain Davis explained to Council that it has recently been discovered that the City was under the impression that the Humane Society issued Kennel licenses, when in fact, they state that they do not issue these licenses and presumed that it was taken care of by the City. After talking to the City Clerk, she stated that she has never issued a kennel license and did not know if this was something that was done in the past or not.

Captain Davis then proceeded to explain to Council that he had drafted changes to the ordinance involving ownership of cats and dogs that would be more current and easy to understand. This ordinance instructed people who wanted to own over the amount allowed for pets that they would have to get a kennel license from the City. Council agreed with these proposed changes and asked that it be brought back to Council in an ordinance form.

CATHY RAHE – DIRECTOR OF TOURISM
Re: Bid Recommendation for Visitor’s Guide

Ms. Rahe recommended to Council that the bid for printing the Visitor’s Guide be awarded to the lowest bidder, C.L. Downey.

Council Member Wilson made motion to approve the recommendation of awarding bid to C.L. Downey. Council Member Knickerbocker seconded motion.

Motion carried.

JOHN WEALER – BUILDING INSPECTOR
Re: Bid Recommendation for Mowing Old Baptist Cemetery

On behalf of John Wealer who was not present at the meeting, City Engineer Jim Burns recommended to Council that the mowing of the Old Baptist Cemetery be awarded to Orville Van Deusen who was the lowest bidder for the job. Council Member Wilson made motion to approve this recommendation. Mayor Hark seconded motion.

Motion carried.

MARY BETH BAUDENDISTEL – CITY CLERK
Re: Bid Recommendation – City Audit

The City Clerk recommended to Council awarding this contract to Tompkins and Willing, who were the lowest bidders. Council Member Wilson made motion to approve. Council Member Hatton seconded motion.

Motion carried.

**Re: Revision to Lease Purchase Agreement with Commerce Bank for the Pool
Renovation Project**
(Resolution 1065 to follow)

The City Clerk explained the reason for adjustment to the lease purchase agreement reducing the amount of payment that need to be paid back to Commerce Bank.

Re: Creation of a Temporary Liquor License Permit for Special Events

The City Clerk informed Council that she had recently encountered requests for out of town establishments to come to Hannibal and provide sale of liquor (for profit) for events held in Hannibal. The problem is that we do not have any category to provide temporary liquor licenses. It is now based only on a \$450.00 liquor license fee per year, and there is noting in place to allow for a few days of selling only. She asked Council's direction as to how they thought these out of town vendors should be handled. Council suggested that a separate fee be set up for temporary licensing for out of town vendors.

BILL LANKFORD – PARKS & RECREATION SUPERINTENDENT
Re: Park & Recreation Salary Adjustments
(Bill No. 03-874 to follow)

Mr. Lankford explained to Council that he had made errors in past evaluations while awarding step increases to some employees causing a discrepancy in the pay scale for employees doing the same job. He felt that he had not been fair and impartial in evaluating these employees and he wanted to correct it and he felt that this was the right thing to do. After a discussion with several Council Members, he asked Council's approval of the bill to follow that would be a one-time adjustment to correct these discrepancies.

JAMES W. DEXHEIMER – CHAIRMAN OF FIRE BOARD
Re: Nepotism Policy Change
(Bill No. 03-877 to follow)

Council Member Dexheimer presented these changes to the Nepotism Policy as suggested by the Fire Board.

Re: City Use of Credit Cards
(Bill No. 03-878 to follow)

Council Member Dexheimer asked that Council approve a change to this ordinance that will allow the Fire Chief and the Assistant Chief to also be included with the other department heads who are allowed to use a credit card for department use.

Re: Salary Increase Request for Fire Dept Employees

Council Member Dexheimer explained that due to a misunderstanding in the Clerk's office, the paperwork that was included with this agenda was for another grievance that the fireboard still has under consideration and is not the one that is to be discussed tonight. The correct salary adjustment request is for a one step increase for all employees that have completed their EMT Certification within the last fiscal year. This included Joe Essig, Tim Daugherty, Bill Madore, John Dean, Ryan Neisen, Tim Carter and Aaron Dawdy. He did not have the figures available at this time to inform Council what the total amount of adjustment this would be, but stated that a new ordinance would have to be drafted to change the payroll ordinance to reflect these salaries. At this time, Council Member Dexheimer made a motion that the salaries for these employees be drafted and implemented into the payroll ordinance to be approved at the next Council Meeting. Council Member Knickerbocker seconded motion.

Roll Call

Yes: Council Member Knickerbocker and Dexheimer – 2

No: Council Members Hull, Wilson, Mayor Hark, and Council Member Hatton - 4

Motion failed.

JIM BURNS – CITY ENGINEER

Mr. Burns asked the Mayor to add a change order on Diamond Blvd. to be added to the agenda. Council Member Wilson made motion to add this to the agenda. Council Member Knickerbocker seconded motion.

Motion carried.

Re: Change Order – Diamond Boulevard

This additional cost is to relocate the electrical service for the Car Wash that was not included in the original bid. The bid amount is \$4,470.00.

Council Member Wilson made motion to approve. Mayor Hark seconded motion.

Motion carried.

**Re: Main Street Bridge Project
(Resolution 1067 to follow)**

Mr. Burns requested Council to approve the resolution to follow which would allow the Mayor to sign an agreement between the City and Great River Engineering for engineering services pertaining to the rehabilitation of the Main Street Bridge.

Re: Mark Twain Cave Utility Easement
(Resolution 1066 to follow)

Mr. Burns asked Council to approve the resolution to follow that would allow the Mayor to sign an easement agreement between the City and Mark Twain Cave.

Re: Manchester Tank Project - Change Order #12

Mr. Burns asked Council to approve Change Order #12 to add two bollard safety barriers to the project in the amount of \$1,230.00

Re: U.S. Cellular Phone Agreement
(Resolution 1069 to follow)

Mr. Burns also asked Council to approve the resolution to follow that would allow the Mayor to sign a contract with U.S. Cellular to participate in the Sharetalk package in the amount of \$85.00 per month. Mr. Burns stated that this would be a cost saving to the department over what they were presently using.

Re: Traffic Committee Recommendations from July 14, 2003 Meeting

Mr. Burns presented the following Traffic Committee Recommendations for Council to consider:

1. The City requests that MODot close the access to the outer road (Route W) on the west side of the intersection of Highway 61 & Palmyra Road (vicinity of Pizza Hut & Burger King).
2. Install "No Parking" signs on St. Mary's Avenue from James Road to Bird Street, both sides of the street.
3. Install "No Trucks over 24,000 GVW" signs on Stardust Drive between Munger Lane and Head Lane.
4. Designate the entire length of Munger Lane, from Highway 36 to Rt. W., 30 mph speed limit

Since no action was taken by Council, these recommendations will be come effective this date.

RESOLUTION 1065

A RESOLUTION AMENDING RESOLUTION 1014 APPROVING A LEASE PURCHASE AGREEMENT BETWEEN COMMERCE BANK AND PARKS AND RECREATION DEPARTMENT FOR THE POOL RENOVATION PROJECT

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

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Resolution 1065 duly approved and adopted on this date.

RESOLUTION 1066

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, AUTHORIZING THE EXECUTION OF A TEMPORARY CONSTRUCTION EASEMENT AND A PERMANENT UTILITY EASEMENT ON PROPERTY OWNED BY MARK TWAIN CAVE PROPERTIES, L.L.C.

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

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Resolution 1066 duly approved and adopted on this date.

RESOLUTION 1067

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF AGREEMENT ON BEHALF OF THE CITY OF HANNIBAL, WITH GREAT RIVER ENGINEERING, INC. FOR ENGINEERING SERVICES IN CONJUNCTION WITH THE REHABILITATION OF THE MAIN ST. BRIDGE AREA

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

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Resolution 1067 duly approved and adopted on this date.

RESOLUTION 1068

A RESOLUTION OF THE CITY OF HANNIBAL, MISSOURI, ALLOWING THE MAYOR TO AUTHORIZE, ON BEHALF OF THE CITY COUNCIL, NECESSARY CHANGES TO BE MADE IN THE 2003-04 BUDGET IN REGARDS TO AIRPORT ENGINEERING COSTS

Council Member Hatton made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Resolution 1068 duly approved and adopted on this date.

RESOLUTION 1069

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH U.S. CELLULAR TO PARTICIPATE IN THE SHARE TALK PROGRAM BY THE DEPARTMENT OF ENGINEERING

Council Member Hull made motion to have the Clerk read this resolution and call the roll for adoption. Council Member Knickerbocker seconded motion.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Resolution 1069 duly approved and adopted on this date.

BILL NO. 03-874

**AN ORDINANCE TO PAY OFFICERS AND EMPLOYEES FISCAL YEAR
2003\2004 AS AMENDED
(Parks & Rec. Employees)**

FIRST READING

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

Motion carried.

**BILL NO. 03-876
As amended**

**AN ORDINANCE AMENDING CHAPTER 7, BUILDING AND BUILDING
REGULATIONS, DIVISION 4. SUPPLEMENTAL PLUMBING STANDARDS OF
THE HANNIBAL CITY CODE**

SECOND AND FINAL READING

Motion was made by Council Member Knickerbocker to have the Clerk give this bill a second and final reading. Council Member Wilson seconded motion.

Motion carried.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Member Dexheimer and Hatton – 6

No: -0-

Mayor Hark declared Bill No. 03-876 duly approved and adopted on this date.

BILL NO. 03-877

**AN ORDINANCE AMENDING CAPTER II OF THE EMPLOYHEE GUIDE TO
SUCCESS IN REGARDS TO RELATIVES**

FIRST READING

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

Motion carried.

BILL NO. 03-878

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III OFFICERS AND
EMPLOYEES, DIVISION 1, GENERALLY, SECTION 2-80 USE OF CITY
CREDIT CARDS AS FOLLOWS:**

FIRST READING

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

Motion carried.

BILL NO. 03-879

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING
DISTRICTS TO RECLASSIFY A TRACT OF LAND BEING PART OF
VACATED COMMANCHE AVENUE AND BEING ALL OF LOTS 1 & 2 AND
PARTS OF LOTS 3, 19, 20 AND 21 IN BLOCK 6, BEING THE NORTHERLY 150
FEET OF SAID BLOCK 6 IN INDIAN MOUND INVESTMENT COMPANIES,
SECOND SUBDIVISION OF INDIAN MOUND PARK, BEING PART OF LOTS 1
AND 2 OF MCMASTERS SUBDIVISION IN SECTION 19, TOWNSHIP 57
NORTH, RANGE 4 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF
HANNIBAL, MARION COUNTY, MISSOURI, FROM "A" ONE & TWO
FAMILY DWELLING TO "D" HIGHWAY BUSINESS**

FIRST READING

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

Motion carried.

CLOSED SESSIONS
In accordance with RSMo 610-021 (1) & (3)

Council Member Knickerbocker made motion to go into Closed Session in accordance with RSMo 610-021 sub paragraphs 1 and 2, admitting the Mayor, Council, City Manager, City Attorney and City Clerk. Council Member Hatton seconded motion.

Roll Call

Yes: Council Members Hull, Knickerbocker, Wilson, Mayor Hark, Council Members Dexheimer and Hatton – 6

No: -0-

Motion carried.

OPEN SESSION

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

Motion carried.

ADJOURNMENT

Council Member Wilson made motion to adjourn. Mayor Hark seconded motion.

Motion carried

CLOSED SESSION:

Under closed session, City Manager Gary Shimun presented to Council a letter of resignation as his position of City Manager effective September 5, 2003.